



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL RC No. 1082 of 2026

Mala Chandrashekar W/o.Chandrashekar,
001, Shiva Apartment,
1st main road, Nagarabhavi Village,
Bangalore-560072.

..Petitioner(s)

Vs

State represented by:

The Inspector of Police,
CCB-II, Egmore,
Chennai.
[Cr.No.24/13]

..Respondent(s)

PRAYER: This Criminal Revision case has been filed by the petitioner under Section 438 read with 442 of B.N.S.S. praying to set aside the order dated 25.03.2026 in CrI.MP.No.769 of 2026 in CC.No.414 of 2019, on the file of Court of the Judicial Magistrate No.1, at Tambaram.

For Petitioner(s): Mr. Anant Malik

For Respondent(s): Mr. A. Damodaran,
Additional Public Prosecutor

ORDER

This Criminal Revision petition has been filed by the petitioner challenging the order passed by the learned Judicial Magistrate No.I, Tambaram



in Crl. M.P. No.769 of 2026 in C.C. No.414 of 2019 dated 25.03.2026. The petitioner herein has filed a petition to cancel the Non-bailable warrant issued against her and the same was dismissed by the learned Magistrate for the reasons that identification marks of the accused are not furnished, vakalatnama is not signed by the accused, no valid identity proof such as Aadhar Card or Ration Card has been produced before the Court and the accused appeared through video conference and her identity could not be ascertained in the absence of supporting documents. Aggrieved by the said order, the present revision case has been filed.

2. Mr. A. Damodaran, the learned Government Advocate (Crl. Side) appearing on behalf of the respondent, takes notice for the respondent.

3. This Court heard both sides and perused the materials available on record.

4. In this case, on a perusal of records, it is seen that the petitioner herein, who is the 3rd accused in the main case, had not appeared before the trial Court on 20.02.2024, thereby the trial Court issued non-bailable warrant. Thereafter, the petitioner filed a petition to cancel the non-bailable warrant issued against her, without physical appearance and furnishing documents for her identity, before the Court. According to the petitioner, she is aged about 70 years and



suffering from high blood pressure and diabetics and anemia for more than 2 years and the Doctors advised her not to travel, thereby she was unable to appear before the trial Court and thereby, she filed a petition to cancel the non-bailable warrant.

5. It is not disputed that the petitioner has not filed proper documents for her identity and also there were some defects in the papers submitted by the petitioner. Thereby, the trial Court dismissed the petition for recalling NBW. Since the trial Court has not passed the order on merits and only on technical grounds, dismissed the petition, without going into the merits of the case, this Court is inclined to direct the petitioner to approach the trial Court, where non-bailable warrant is pending against the petitioner with proper documents for her identity to the satisfaction of the learned Magistrate and to file appropriate petition along with relevant documents.

6. As far as the personal appearance is concerned, it is for the Magistrate to decide whether the appearance of the petitioner through video conference is sufficient or not. In view of the same, the petitioner is directed to appear before the trial Court, within ***one month from the date of receipt of a copy of this order***, and to file a petition for cancellation of non-bailable warrant along with required documents for her identity. On filing such petition and documents by the petitioner, the trial Court is directed to consider the petition in accordance



with law, on merits, on the same day.

7. With the above said directions, this *Criminal Revision case is disposed of.*

14-05-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MJS

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate No.1, at Tambaram.
2. The Inspector of Police, CCB-II, Egmore, Chennai.
3. The Public Prosecutor, High Court of Madras.



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P.DHANABAL, J.

MJS

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