



Crl.RC(MD) No.699 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18-02-2026**

CORAM:

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THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

Crl.RC(MD) No.699 of 2019

and

Crl.MP.(MD).No.8257 of 2019

Pugazhenth

...Petitioner

Vs

The Sub Inspector of Police
Kundrakudi Police station
Sivagangai District
Cr No.2/2019

... Respondent

*(Amended as per order of this court dt. 01.10.2019 in
Crl.MP.(MD).No.8512/2019 in Crl.RC(MD).No.699/19 by VPNJ)*

Prayer: Criminal Revision Case is filed under Section 397 r/w.401 of Cr.P.C., to call for the record and set aside the order dated 06.09.2019 made in M.P No. 5443/2019 on the file of the Learned Principal District Munsif Cum Judicial Magistrate, Karaikudi, Sivagangai District in Cr No. 2/2019 on the file of the respondent and allow the Criminal Revision

Case. For Petitioner : Mr.B.Jameel Arasu

For Respondent : Mr.A.Thiruvadikumar
Additional Public Prosecutor



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ORDER

Heard, Mr.B.Jameel Arasu, learned Counsel for petitioner and Mr.A.Thiruvadikumar, learned Additional Public Prosecutor.

2. This Criminal Revision Case is filed challenging the order dated 06.09.2019, in M.P.No.5443 of 2019 passed by Principal District Munsif cum Judicial Magistrate, Karaikudi, Sivagangai District, wherein, bail granted to the petitioner herein in M.P.No.4957 of 2019 dated 14.08.2019 was cancelled, and a Non Bailable Warrant was issued against the petitioner and the respondent police was directed to secure the petitioner/accused.

3. Today, when the matter was taken up for hearing, Mr. Thiruvadikumar, learned Additional Public Prosecutor submitted that despite repeated attempts made by the respondent police to serve summons, they were unable to effect service of summons on the petitioner. In view thereof, this Court passed an order on 12.02.2026,



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directing the petitioner to be present before this Court on 16.02.2026. In compliance thereof, petitioner appeared before this Court on 16.02.2026, summons was served on the petitioner. Learned Additional Public Prosecutor would submit that petitioner may be directed to file an undertaking affidavit to co-operate with the trial. The request of learned Additional Public Prosecutor is justified. In view thereof, petitioner was directed to file an undertaking affidavit to appear before the trial court on all future hearings without fail and shall fully cooperate with the trial proceedings.

4. Pursuant thereto, the petitioner has filed an undertaking affidavit dated 16.02.2026. The relevant portion of the said undertaking affidavit is extracted hereunder:

"1. I am the petitioner herein and as such I am well acquainted with the facts of the case.

2. I respectfully submit that, I have filed the above Criminal Revision petition to call for the record and set aside the order dated 06.09.2019 made in M.P. No. 5443 of 2019 on the file of the learned Principal District Munsif cum Judicial Magistrate, Karaikudi, Sivagangai District in Crime No. 2 of 2019 on the file of the respondent and allow the Criminal revision Petition.



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3. I submit that, the above Criminal revision came up for hearing before this Hon'ble Court on 12.02.2026 and this Hon'ble Court was pleased to pass following order,

Para-3.

In view of thereof, the petitioner Pugazhenthhi is directed to appear before this court on 16.02.2026 without fail to enable the respondent police to serve the summons.

4. I further submit that, in view of the above order passed by this Hon'ble court, I have appeared before this Hon'ble court in person on 16.02.2026 and same was recorded and at that time of hearing, the the respondent police has served summon to me. In the said summon whereby noticed that, already the final report has been filed in connected with the criminal case in Crime No. 2 of 2019 before the learned Judicial Magistrate court, karaikudi, sivagangai District and same was taken on filed in C.C.No. 1234 of 2022. I further submit that, the above case has been posted on 25.03.2026 for my appearance. In these circumstances, I hereby undertake before this Hon ble court I would appear before the trial court in all future hearing in C.C.No.1234 of 2022 pending before the learned Judicial Magistrate court, Karaikudi, Sivagangai District without fail and cooperate the trial.

I therefore pray that this Hon'ble Court may be pleased



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to record the above my undertaking and pass suitable order and such other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice."

5. In view thereof, the impugned order dated 06.09.2019 in M.P.No.5443 of 2019 passed by the learned Principal District Munsif-cum-Judicial Magistrate, Karaikudi, Sivagangai District, cancelling the bail is set aside. It is made clear that the petitioner shall appear and comply with the terms of the said undertaking and attend all hearings before the trial court, viz, the Principal District Munsif-cum-Judicial Magistrate, Karaikudi, Sivagangai District, without fail and cooperate with the trial.

6. With the above observations, this Criminal Revision Case is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

18-02-2026

gvn



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MOHAMMED SHAFFIQ, J

gvn

To:

1. The Principal District Munsif Cum Judicial Magistrate,
Karaikudi, Sivagangai District

2. The Sub Inspector of Police
Kundrakudi Police station
Sivagangai District
Cr.No.2/2019

ORDER
IN
CrI.RC(MD) No.699 of 2019

18/02/2026