

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.04.2015

Coram:

THE HON'BLE Mr.JUSTICE P.N.PRAKASH
Crl.O.P.No.6741 of 2014

K.M.Ravichandran

...

Petitioner

Vs.

The State of Tamil Nadu
Rep.by the Inspector of Police,
District Crime Branch,
Salem District.
(Crime No.02 of 2011)

....

Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the Learned Judicial Magistrate, Omalur to complete the trial in C.C.No.21 of 2011 on the file of the Learned Judicial Magistrate, Omalur, Salem District within stipulated time.

For Petitioner : Mr.M.R.Jothimanian

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

Seeking a direction to the learned Judicial Magistrate, Omalur, to complete the trial in C.C.No.21 of 2011 on the file of the Learned Judicial Magistrate, Omalur, Salem District, within stipulated time, the petitioner has come up with this petition.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent and perused the material placed on record.

3.Earlier, this Court, vide order dated 04.03.2015, called for the report from the Judicial Magistrate, Omalur and the report dated 17.03.2015 has been received. Para 2 of the said report is extracted hereunder:

" 2. I further submit that I took charge of the District Munsif cum Judicial Magistrate, Omalur on 12.07.2013 in order to heard the arguments for refresh on both sides the said matter was posted on 3.09.2013. From the said dated 3.09.2013 till 16.12.2014. The accused did not appear before this Court and after giving several opportunities further arguments not made by the accused. Further I submit that on 16.12.2014 non -bailable warrant was issued against the 1 to 5 accused in this case for there non-appearance. Hence, the above C.M.P.No.3740 of 2012 U/s. 239 Cr.P.C. is still pending for disposal.

I further respectfully submit that I would take necessary steps to instruct the District Crime Branch, Salem for execution of Non Bailable Warrant for accused and I will take steps to dispose the petition. The case is posted on 05.05.2015."

4.In view of the above, this Court directs the respondent police to take all possible steps to execute the Non-Bailable-Warrant for apprehending the accused, in accordance with law.

This Criminal Original Petition is closed. The learned Magistrate shall monitor the execution of the warrant, by adjourning the case to short dates and not to long dates.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

mps

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To

1.The Judicial Magistrate,
Omalur, Salem District.

2.The Inspector of Police,
District Crime Branch,
Salem District.

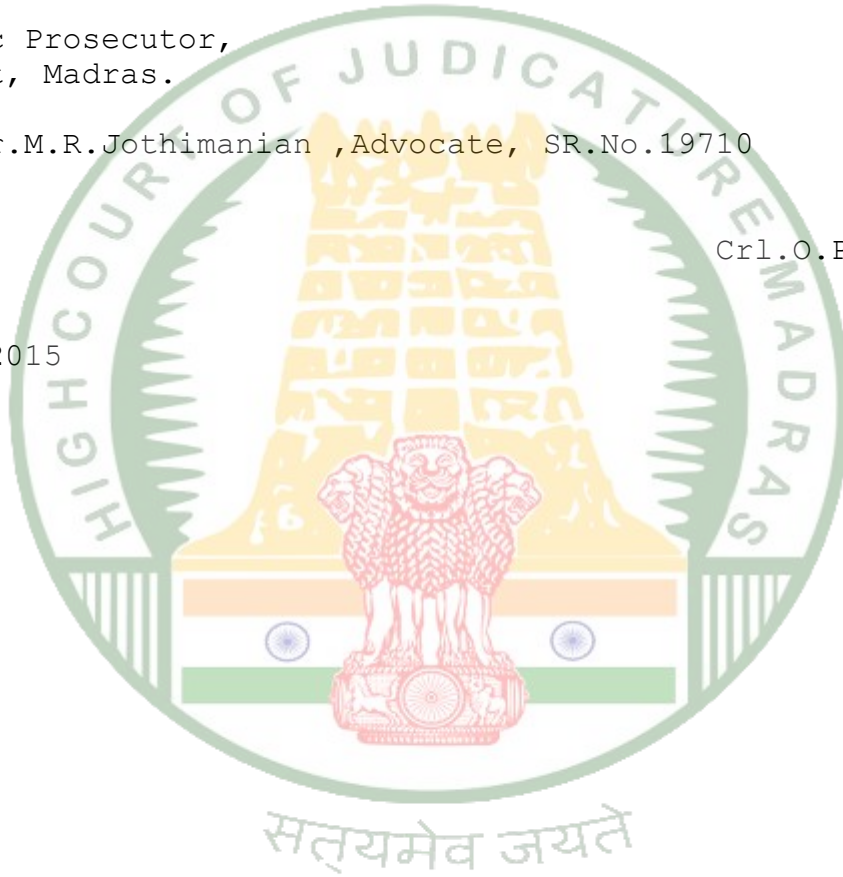
Copy to:

The Public Prosecutor,
High Court, Madras.

1 cc to Mr.M.R.Jothimanian ,Advocate, SR.No.19710

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mp(co)
pmk.13.4.2015



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