

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2015

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CrI.O.P.No.25221 of 2015

1.Shabir Ahmed Shawl
2.Shafat Ahmed Shawl
3.Kurseed
4.Ashad Ahmed ShahPetitioners

Vs.

1. State by
The Inspector of Police,
F-4, Thousand Lights Police Station (L&O),
Chennai.
2. S.Manoj Kumar
Sub Inspector of Police,
F-4, Thousand Lights Police Station (L&O),
Chennai. Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C to direct the 1st respondent to take appropriate action against the Mr.Manoj Kumar, Sub Inspector of Police, F-4, Thousand Police Station, Chennai - 600 006 for illegal act against the petitioners personally and causing huge loss to the petitioners shop.

For Petitioners : Mr.G.V.Sridharan
For Respondents : Mr.C. Emalias
Addl. Public Prosecutor

O R D E R

This criminal original petition has been filed to direct the 1st respondent to take appropriate action against Mr.Manoj Kumar, Sub Inspector of Police, F-4, Thousand Police Station, Chennai - 600 006 for illegal act against the petitioners personally and causing huge loss to the petitioners' shop.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondents.

3. It is seen that these petitioners were arrested by the respondent police in Crime No.1398 of 2015 and they were granted bail by the XIV Metropolitan Magistrate Court, Egmore, on condition that they shall appear before the Magistrate every day at 10.30 a.m. While so, the petitioners did not comply with the condition passed by the XIV Metropolitan Magistrate Court, Egmore and therefore, the learned XIV Metropolitan Magistrate had issued Non - Bailable Warrant, which is being sought to be executed by the Sub Inspector of Police, Thousand Lights police station. Therefore, these petitioners have come forward to this Court with this petition for a direction to register a case against the Sub Inspector of Police, Thousand Lights Police Station. Such a direction cannot be passed because it is the duty the Sub Inspector of Police to execute the warrant lawfully.

4. The learned counsel for the petitioners made further allegations against the sub Inspector of Police which cannot be countenanced and they have been made only to prevent the Sub Inspector of Police from executing the warrant.

In view of the above, the relief as claimed by the petitioner in this petition cannot be granted. Accordingly, the criminal original petition is dismissed.

sms

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
F-4, Thousand Lights Police Station (L&O),
Chennai.

2. S.Manoj Kumar
Sub Inspector of Police,
F-4, Thousand Lights Police Station (L&O),
Chennai.

3. The Public Prosecutor,
High Court, Madras.

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Cr1.O.P.No.25221 of 2015