

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.3631 of 2015

Kandhasamy

... Petitioner

Vs

1.State rep by
The Inspector of Police,
North Police Station,
Tiruppur.

2.Ramesh

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the first respondent to execute the non bailable warrant issued in STC No.4739 of 2010 on the file of the learned Judicial Magistrate No.1, Tiruppur against the second respondent.

For Petitioner : Mr.S.Doraisamy

For Respondents : Mr.C.Emalias,
Addl.Public Prosecutor,
for R.1

ORDER

The present criminal original petition has been filed seeking a direction to first respondent to execute the non bailable warrant issued against the second respondent in STC No.4739 of 2010 on the file of the learned Judicial Magistrate No.1, Tiruppur.

2. The petitioner lodged a private complaint as against the second respondent under Section 138 of the Negotiable Instruments Act in S.T.C.No.4739 of 2010 on the file of the learned Judicial Magistrate No.I, Tiruppur. In the said case, due to the non-appearance of the second respondent, Non Bailable Warrant was issued against him on 18.1.2013. But, the

second respondent did not take any steps to execute the non bailable warrant for the past two years. Hence, the petitioner has come up with the present petition to execute the non bailable warrant issued against the second respondent in STC No.4739 of 2010 on the file of the learned Judicial Magistrate No.1, Tiruppur.

3. Learned Additional Public Prosecutor submitted that he has received no instruction from the first respondent police.

4. Considering the facts and circumstances of this case, this Court directs the first respondent to execute the non bailable warrant issued against the second respondent in STC No.4739 of 2010 on the file of the learned Judicial Magistrate No.1, Tiruppur as early as possible, preferably within a period of two months from the date of receipt of a copy of this order. The criminal original petition is disposed of accordingly.

Sd/
ASSISTANT REGISTRAR (CS-II)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

sbi

To

1.The Judicial Magistrate,
No.I, Tiruppur,

2.Do thro The Chief Judicial Magistrate,
Tiruppur.

3.The Inspector of Police,
North Police Station,
Tiruppur.

4.The Public Prosecutor,
High Court, Madras.

+1 CC to MR.S.Doraisamy Advocate. SR.NO. 66503

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CO-SK

JD 28/12/2015