

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP No.8927 of 2015

G.Ashokan

.. Petitioner

Vs

1.V.Kumaran

2.The State rep. By
The Superintendent of Police,
Vellore,
Vellore District.

3.The Deputy Superintendent of Police,
Gudiyatham,
Vellore District.

4.The State rep. By
The Inspector of Police,
Gudiyatham Town Police Station,
Vellore District.

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the fourth respondent police to execute the Non Bailable Warrant issued by the learned Judicial Magistrate, Fast Track Court, Vellore, Vellore District in C.C.No.185 of 2011 dated 30.01.2012 against the first respondent/accused.

For Petitioner :Mr.E.Kannadasan

For RR2 to 4 :Mr.C.Emalias,
Additional Public Prosecutor

WEB COPY
ORDER

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 2 to 4.

2.It is seen that the petitioner herein launched prosecution in C.C.No.185 of 2011 against one V.Kumaran for offence under Section 138 of the Negotiable Instruments Act, before the learned Judicial

Magistrate, Fast Track Court, Vellore. The trial Court convicted the accused and sentenced him to undergo rigorous imprisonment for 12 months and to pay Rs.2 lakhs as compensation under Section 357(3) Cr.P.C., and in default to undergo simple imprisonment for two months.

3.It is stated by the petitioner/complainant that after the conviction and sentence, the accused did not file any appeal to the Superior Court and thus, the conviction and sentence has reached finality. Despite that, the respondent police are not executing the warrant of commitment. Under such circumstances, this Court directs the respondent police to execute warrant and apprehend the accused expeditiously. The trial Court is also directed to monitor the same.

4.With the above observations, the Criminal Original Petition is closed.

s/d-
Assistant Registrar(V)

True Copy

Sub-Assistant Registrar

To

- 1.The Superintendent of Police,
Vellore,
Vellore District.
- 2.The Deputy Superintendent of Police,
Gudiyatham,
Vellore District.
- 3.The Inspector of Police,
Gudiyatham Town Police Station,
Vellore District.
- 4.The Public Prosecutor,
High Court, Madras.

+ 1 cc to M/s.E.Kannadasan, Advocate SR 19698

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