



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2015

CORAM

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

Crl.O.P.(MD)No.21513 of 2015

K.Pushpa

... Petitioner

Vs.

1. The Commissioner of Police,
City Police Office,
Trichy City.
2. The Sub-Inspector of Police,
K.K.Nagar (L&O) Police Station,
Trichy City.
3. R.Subramanian

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying for a direction to the second respondent to execute non-bailable warrant issued against the third respondent by the trial Court in C.C.No.1221 of 2013 on the file of the learned Judicial Magistrate No.II, Trichy within a stipulated time.

For Petitioner : Mr.T.Senthil Kumar

For R1 and R2 : Mrs.S.Prabha

Govt. Advocate (Crl.side)

O R D E R

The petitioner has come forward with this petition seeking for a direction to the second respondent to execute the non-bailable warrant issued against the third respondent by the trial Court in C.C.No.1221 of 2013 on the file of the learned Judicial Magistrate No.II, Trichy, within a stipulated time.

2. I have heard the learned counsel appearing on either side and perused the materials available on record.

3. It is represented by the learned Government Advocate (Crl.side) that the third respondent is not residing in Trichy and he is in Karur, but the whereabouts are not known.

4. As the third respondent has been shown as a party to the proceedings, it is not necessary that he should be heard. If the third respondent had not filed any petition under Section 70 of Cr.P.C., before the trial Court for recalling the warrant, the first and second respondents will have to execute the Non-bailable warrant issued by the trial Court in Calender Case No.1221 of 2013.



5. In view of the same, the respondents 1 and 2 are directed to execute the non-bailable warrant issued against the third respondent as expeditiously as possible, preferably within a period of one month from the date of receipt of a copy of this order.

With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
City Police Office,
Trichy City.
2. The Sub-Inspector of Police,
K.K.Nagar (L&O) Police Station,
Trichy City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.T.Senthil kumar, Advocate Sr.No.65902

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Cr1.O.P. (MD) No.21513 of 2015
16.11.2015