



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Crl.O.P(MD)No.6764 of 2015

WEB COPY
S.Sakthivel

... Petitioner

Vs.

1.The State rep. by
The Superintendent of Police,
Thoothukudi.

2.The Inspector of Police,
Thermal Nagar Police Station,
Harbour Estate,
Thoothukudi - 628 004.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C seeking a direction to the second respondent to execute the warrant dated 10.06.2014 issued by the learned Judicial Magistrate/Fast Track Court, Magisterial Level, Thoothukudi, and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.Antony S.Prabahar

For Respondents : Mr.K.Anbarasan

Government Advocate

O R D E R

This petition has been filed under Section 482 of Cr.P.C seeking a direction to the second respondent to execute the warrant dated 10.06.2014 issued by the learned Judicial Magistrate/Fast Track Court, Magisterial Level, Thoothukudi.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) appearing for the State.

3.The learned counsel for the petitioner submitted that the trial court rendered conviction which was also affirmed by the lower Appellate court. Since the accused person so far has not taken any steps to challenge the order of the courts below, the trial court issued Non Bailable Warrant on 10.06.2014. The same has not been executed so far.

4. Though the courts below have rendered conviction which has not been kept in abeyance by any other order of Higher Court, the second respondent is duty bound to take appropriate steps to execute the warrant issued on 10.06.2014 by the learned Judicial Magistrate, Fast Track Court, Magisterial Level, Thoothukudi. Hence, the second respondent police is directed to take appropriate action within a period of three months from the date of receipt of copy of this order. It is made clear that in the event of the order passed by the lower court as confirmed by the lower Appellate Court being stayed, the direction need not be complied with.

5.With the above direction, this petition is disposed.

Sd/-

Assistant Registrar(T&P)

/True Copy/



To,

1.The II Additional Sessions Judge, Thoothukudi.

2.The Judicial Magistrate,
Fast Track Court (at Magistrate Level),
Thoothukudi.

3.-Do-Thro The Chief Judicial Magistrate, Thoothukudi.

4.The Superintendent of Police,Thoothukudi.

5.The Inspector of Police,Thermal Nagar Police Station,
Harbour Estate,Thoothukudi - 628 004.

6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.Antony S. Prabahar, Advocate in SR.No. 18826

Sm:23.04.2015:2P/8C

Cr1.O.P.No.6764 of 2015
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