

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2016

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Cr1.O.P.No.16917 of 2015

G.Munavar Sulthana

... Petitioner

Vs

1.The Deputy Commissioner of Police,
Mylapore, Chennai-4.

2.The Assistant Commissioner of
Police,
Mylapore, Chennai-4.

3.The Inspector of Police,
W22, All Women Police Station,
Mylapore, Chennai-4.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the first respondent to execute the warrant forwarded by the learned XVIII Metropolitan Magistrate, Saidapet, Chennai, dated 30.4.2015.

For Petitioner :Mr.P.G.Perumal Pandian

For respondents :Mr.C.Emalias,
Addl. Public Prosecutor

ORDER

The present criminal original petition has been filed seeking a direction to the first respondent to execute the warrant forwarded by the learned XVIII Metropolitan Magistrate, Saidapet, Chennai, dated 30.4.2015.

2. It is the case of the petitioner that on the basis of the complaint given by the petitioner as against one A.M.Imthiaz Naser before the respondent police, a case was registered in Crime No.2 of 2011 for the offence under Section 406 I.P.C. In the said case, after completion of investigation,

charge was filed and the same was taken on file as C.C.No.6328 of 2011. Now, the said case is pending before the learned XVIII Metropolitan Magistrate, Saidapet, Chennai. During the course of trial, since the accused A.M.Imthiaz Naser did not appear before the said Court, non bailable warrant was issued against him on 30.4.2015. Though non bailable warrant was issued as early as in the year 2015, till date, the respondents have not executed the same. Hence, the petitioner has filed the present petition seeking a direction to the first respondent to execute the warrant.

3. Today, when the matter was taken up for consideration, learned Additional Public Prosecutor submitted that the accused A.M.Imthiaz Naser filed petitions before this Court in Crl.O.P.Nos.19867 and 19509 of 2016 to recall the non bailable warrant issued against him and for granting anticipatory bail in C.C.No.6328 of 2011, and this Court, by order dated 23.9.2016, directed him to surrender before the learned VIII Metropolitan Magistrate, Saidapet and to file a warrant recall petition before the concerned Judge and in the event of filing such an application, the learned Judge was directed to consider the same and pass orders on merits and in accordance with law. He has also produced a copy of the said order before this Court.

4. In view of the same, I am of the opinion, nothing survives in this petition for adjudication. Hence, the present criminal original petition is closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

sbi

To

1.The Deputy Commissioner of Police,
Mylapore, Chennai-4.

2.The Assistant Commissioner of
Police,
Mylapore, Chennai-4.

3.The Inspector of Police,
W22, All Women Police Station,
Mylapore, Chennai-4.

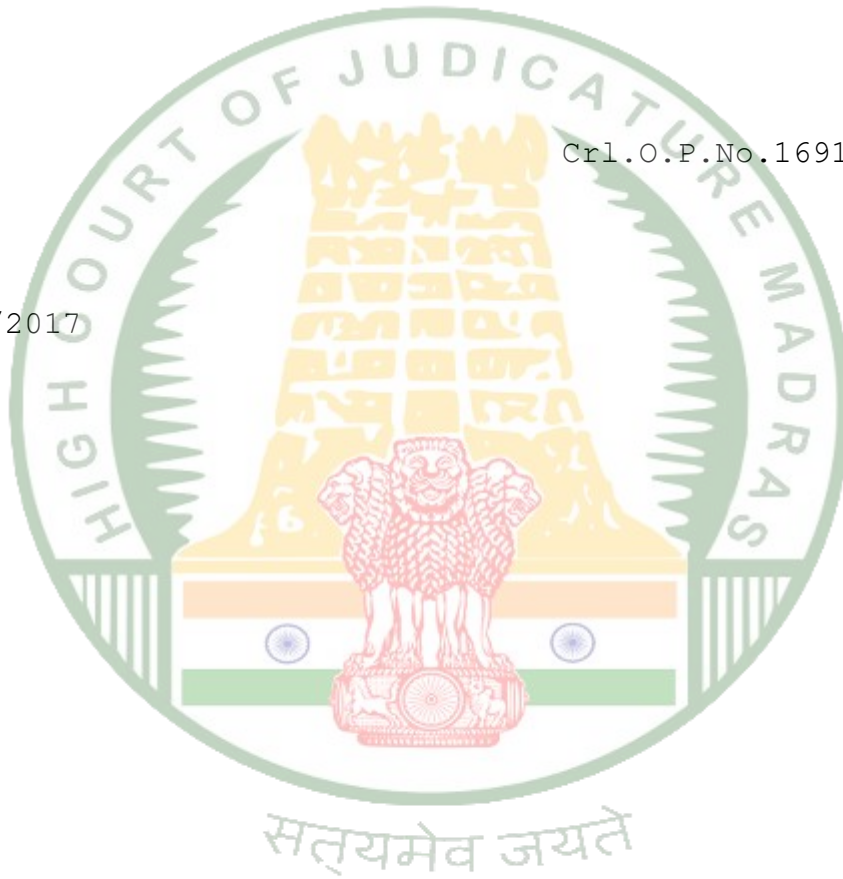
4.The Public Prosecutor,
High Court, Madras.

5.The XVIII Metropolitan Magistrate,
Saidapet, Chennai.

6.-Do- Thro The Chief Metropolitan Magistrate,
Egmore, Chennai.

Crl.O.P.No.16917 of 2015

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