

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2016

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

CrI.O.P.Nos.17582 of 2010

C.Shanmugam

... Petitioner

Vs.

1. Chinnasamy

2. The Inspector of Police,
Kariyamangalam Police Station,
Dharmapuri.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the 2nd respondent to execute the non-bailable warrant order passed in C.C.No.441 of 2008 on the file of the learned Judicial Magistrate-I, Dharmapuri.

For Petitioners : Mr. M.Selvam

For Respondents : Mr. E.Raja,
Additional Public Prosecutor
for R2.

O R D E R

This petition has been filed to direct the second respondent to execute the non bailable warrant issued in C.C.No.441 of 2008 on the file of the learned Judicial Magistrate No.I, Dharmapuri.

2. According to the learned counsel for the petitioner, the petitioner had filed a private complaint against the first respondent for the offences under Sections 138 and 142 of Negotiable Instruments Act and the same was taken in C.C.No.441 of 2012 on the file of the learned Judicial Magistrate No.I, Dharmapuri. Since, the first respondent/accused did not appear, the trial Court issued a non bailable warrant against the first respondent/accused on 12.05.2006 and the same was not executed by the second respondent till date. Hence, the petitioner has come forward with the present petition.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the second respondent and perused the materials placed on record.

4. Since the non bailable warrant is pending from 12.05.2006, the second respondent is directed to execute the warrant forthwith.

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

-s/d-

Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
Kariyamangalam Police Station,
Dharmapuri.
2. The Public Prosecutor,
Madras.

+ 1 cc to Mr.M.Selvam, Advocate SR 40540

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