

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.24906 of 2016

R.Rangaraj

...Petitioner

Vs.

1. The State Rep. by its
Inspector of Police,
Karamadai Police Station,
Mettupalayam,
Coimbatore District.

2. S.Rajendran

...Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the first respondent police to execute bailable warrant issued against second respondent by the Judicial Magistrate, Mettupalayam in C.C.No.96 of 2015.

For Petitioner : Mr.P.P.Shanmugasundaram

For Respondent : Mr.C.Emalias [for R1]
Additional Public Prosecutor

सत्यमेव जयते
O R D E R

This Criminal Original Petition has been filed seeking a direction to the respondent police to execute the bailable warrant issued against the second respondent in C.C.No.96 of 2015 before the Judicial Magistrate, Mettupalayam.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent police.

3. Today, Mr.D.Kannan, Inspector of Police, Karamadai Police Station, Mettupalayam, Coimbatore District is present.

4. The petitioner has initiated prosecution in C.C.No.96 of 2016 before the learned Judicial Magistrate, Mettupalayam, under Section 138 of the Negotiable Instruments Act against Rajendran. It appears that the Judicial Magistrate, Mettupalayam, has issued bailable warrant for securing the presence of Rajendran on 29.06.2016, and that the warrant has been issued to the first respondent police.

5. The learned Additional Public Prosecutor submitted that the next date of hearing is 09.01.2017. The respondent police is directed to execute the bailable warrant and on such execution, the second respondent/accused is directed to be produced before the Judicial Magistrate, Mettupalayam. On such production, the learned Judicial Magistrate, Mettupalayam shall release the accused /second respondent on bail under Section 436 Cr.P.C., on he furnishing a bond for Rs.10,000/- with two sureties to the satisfaction of the Magistrate. Thereafter, if the second respondent absconds, a fresh FIR can be registered under Section 229-A IPC.

6. With the above direction, this Criminal Original Petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ds

To

1. The Judicial Magistrate,
Mettupalayam.
2. -Do- Through The Chief Judicial Magistrate,
Mettupalayam.

3. The Inspector of Police,
Karamadai Police Station,
Mettupalayam,
Coimbatore District.

4. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.P.P.Shanmugasundaram, Advocate, S.R.No. 65509

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EV (CO)
PSI (05/12/2016)



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