

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.3996 of 2016

and Crl.OP.No.14380 of 2015

S.Mukanchand Bothra ... Petitioner/Complainant in both
Crl.OPs

Vs

P.Mani ... Respondent/Accused in both
Crl.OPs

COMMON PRAYER: Criminal Original Petitions filed under Section 482 Cr.P.C., praying to direct the learned VIII Metropolitan Magistrate, George Town, Chennai, to issue warrant of arrest immediately in C.C.No.6687 of 2002 and to secure the custody of the accused.

For Petitioner : Mr.S.Mukanchand Bothra
Party-in-Person

COMMON ORDER

These Criminal Original Petitions have been filed to direct the learned VIII Metropolitan Magistrate, George Town, Chennai, to issue warrant of arrest and to secure the custody of accused in C.C.No.6687 of 2002.

2. The petitioner has filed C.C.No.6788 and 6787 of 2002 against Mani for the offence under Section 138 of the Negotiable Instruments Act, and the said Mani was acquitted by the Court below. Challenging the acquittal, the petitioner preferred Crl.A.Nos.801 and 802 of 2011 before this Court, in which this Court by judgment dated 06.03.2015, reversed the acquittal and sentenced Mani to pay a fine of Rs.6,05,000/-, in default, to undergo three months imprisonment in Crl.A.No.801 of 2011, and imposed a fine of Rs.55,000/-, in default, to undergo three months imprisonment in Crl.A.No.802 of 2011. Since, the said Mani did not pay the fine, the petitioner filed petitions in Crl.OP.No.14380 of 2015 and Crl.OP.No.3996 of 2016 before this Court, for a direction to

the trial Court to issue warrant against Mani. During the pendency of these petitions, it appears that the petitioner filed applications in CMP.No.718 of 2015 and CMP.No.719 of 2015, which came to be dismissed by the learned VIII Metropolitan Magistrate, George Town, Chennai, on 22.06.2015.

3. Under such circumstances, these Criminal Original Petitions are closed with liberty to the petitioner to challenge the order dated 22.06.2015, passed by the learned VIII Metropolitan Magistrate, George Town, Chennai in CMP.No.718 of 2015 and CMP.No.719 of 2015.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

ds

To

1. VIII Metropolitan Magistrate,
George Town, Chennai.

2. The Public Prosecutor,
High Court, Madras.

Crl.OP.No.3996 of 2016
and Crl.OP.No.14380 of 2015

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