

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.MATHIVANAN

Cr1.O.P.No.6429 of 2016

P.Venkatesan

... Petitioner

Vs.

The Inspector of Police,
R-8, Vadapalani Police Station,
Vadapalani,
Chennai-600 026.

... Respondent

PRYER : The Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, 1973, seeking a direction, directing the respondent to execute the Non-Bailable Warrant issued in C.C.No.4556 of 2010 on the file of the Metropolitan Magistrate, Fast Track Court III, Saidapet, Chennai.

For Petitioner : Mr.S.Arivazhagan

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

The petition is filed by the petitioner to direct the respondent to execute the Non Bailable Warrant in the case in C.C.No.4556 of 2010 pending on the file of the learned Metropolitan Magistrate, Fast Track Court - III, Saidapet, Chennai.

2.It appears from the records that a case in C.C.No.4556 of 2010 is pending trial as against the accused therein. This case has been taken on file by the learned Metropolitan Magistrate, Fast Track Court III, Saidapet, Chennai, in the year 2010. For the past six years, there is no progress in the said pending case. However, it is brought to the notice of this Court by Mr.S.Arivazhagan, learned counsel for the petitioner that since the accused in the said case had apparently restrained from appearing before the Court, the learned Judicial Magistrate was constrained to issue the Non Bailable Warrant dated 14.05.2015 and thereafter, Non Bailable Warrant was issued on 22.06.2015 and subsequently, since the Non Bailable Warrant was not executed by the concerned Police

Officers, again the learned Judicial Magistrate had re-issued the same on 15.03.2016. Therefore, Mr.S.Arivazhagan, learned counsel for the petitioner has urged before this Court to issue a direction to execute the warrant.

3.Mr.C.Emalias, learned Additional Public Prosecutor has also submitted that reasonable time may be given to the Officer concerned to execute the warrant.

4.Keeping in view of the above fact, the Inspector of Police, attached to R8, Vadapalani Police Station, Vadapalani, Chennai, is directed to execute the warrant issued in the above said case in C.C.No.4556 of 2010 on or before 07.04.2016.

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

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
R-8, Vadapalani Police Station,
Vadapalani, Chennai-600 026.
2. The Public Prosecutor,
High Court of Madras,
Chennai.

+1cc to Mr.S.Arivazhagan, Advocate, S.R.No.19053

Cr1.O.P.No.6429 of 2016

NM(CO)
CA(05/04/2016)