

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Cr1.O.P.No.16746 of 2016

Arunachalam

... Petitioner

Vs

1.The Superintendent of Police,
Erode District, Erode.

2.State, rep. By

The Inspector of Police,
Chennimalai Police Station,
Erode District.

... Respondents

(Crime No.79 of 2017)

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the second respondent to execute the non-bailable warrant dated 18.11.2015 issued by the learned Sessions Judge, Mahila Court, Erode, and consequently, direct the learned Sessions Judge, Mahila Court, Erode, to dispose the S.C.No.110 of 2015 as expeditiously as possible within a stipulated time by appreciating the above said facts and circumstances.

For Petitioner : Mr.M.Guruprasad
For respondents : Mr.C.Emalias,
Addl. Public Prosecutor

ORDER

The present criminal original petition has been filed seeking a direction to the second respondent to execute the non-bailable warrant dated 18.11.2015 issued by the learned Sessions Judge, Mahila Court, Erode, and consequently, direct the learned Sessions Judge, Mahila Court, Erode, to dispose the case in S.C.No.110 of 2015 as expeditiously as possible within a stipulated time.

2. It is the case of the petitioner that on the basis of the complaint given by him as against one Thangamuthu, a case

was registered in Crime No.79 of 2014 and in the said case, after completion of investigation, charge sheet was filed and now, it is pending before the learned Sessions Judge, Mahila Court, Erode, as S.C.No.110 of 2015. Since the accused Thangamuthu is not cooperating with the trial, the learned Judge issued a non-bailable warrant on 18.11.2015. Though the non-bailable warrant was issued as early as on 18.11.2015, till date, the second respondent neither executed the warrant nor has taken any steps to cancel the bail granted to the said accused. Hence, the petition.

3. I have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor and perused the entire materials available on record.

4. Considering the above facts and circumstances of the case, this Court directs the second respondent to execute the non-bailable warrant dated 18.11.2015 in S.C.No.110 of 2015 issued by the learned Sessions Judge, Mahila Court, Erode, as against the accused Thangamuthu, within a period of three weeks from the date of receipt of a copy of this order. The criminal original petition is disposed of accordingly.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sbi

To

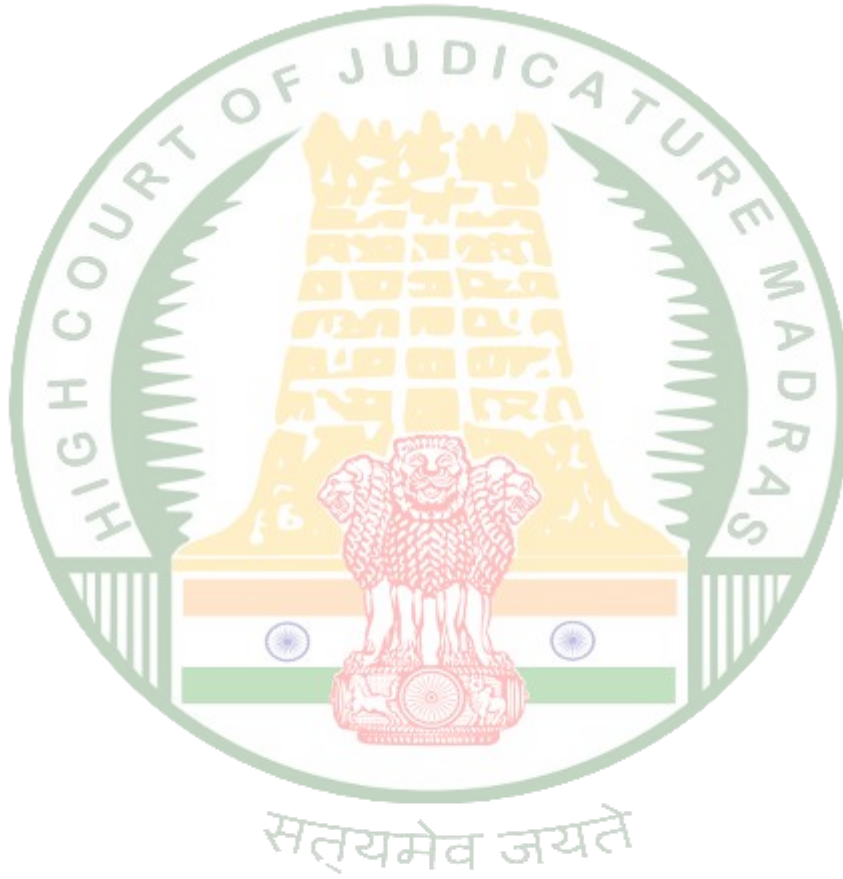
- 1.The Sessions Judge,
Mahila Court, Erode.
- 2.The Superintendent of Police,
Erode District, Erode.
- 3.The Inspector of Police,
Chennimalai Police Station,
Erode District.

4.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.M. Guruprasad, Advocate, S.R.No.2204

ksj (CO)
md(31/01/2017)

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