



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE **M.V.MURALIDARAN**

Crl.O.P.(MD) No.13424 of 2017

K.Dhanasingh ...Petitioner / De-facto complainant

-Vs-

1.The State of represented by
The Superintendant of Police,
Thoothukudi District.
Thoothukudi.

2.The Inspector of Police,
Nazareth Police Station,
Thoothukudi District. ...Respondents/ Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the respondents to execute the non-bailable warrant issued by the learned Judicial Magistrate, Sathankulam, Thoothukudi District in C.C.No.139 of 2005 pending on his file within the time stipulation as prescribed by this Court.

For Petitioner :Mr.R.Anand
For Respondent :Mr.K.Anbarasan,
Government Advocate(Crl. Side).

O R D E R

This Criminal Original Petition has been filed to direct the respondents to execute the non-bailable warrant issued by the learned Judicial Magistrate, Sathankulam, Thoothukudi District in C.C.No.139 of 2005 pending on his file within the time stipulated as prescribed by this Court.

2.Heard the learned Counsel appearing for the petitioner, the learned Government Advocate(Criminal side) appearing for the respondent.

3.Based on the complaint lodged by the petitioner / de-facto complainant against one P.Ragavan, a case was instituted in C.C.No.139 of 2005 by the learned Judicial Magistrate, Sathankulam, Thoothukudi District. Despite repeated summons and bailable warrants were issued by the concerned Judicial



Magistrate, the said P.Ragavan, did not appear before the Court. Therefore, the learned Judicial Magistrate has issued Non-Bailable Warrant against him on 22.09.2005.

4.The learned Counsel for the petitioner has submitted that even though the Non-Bailable Warrant issued on 22.09.2005, the respondent police has not taken any steps to execute the same. Hence, the petitioner has constrained to file this petition to direct the respondents to execute the Non-Bailable Warrant against the said P.Ragavan.

5.The learned Government Advocate (Crl. Side), on instructions submitted that he will take necessary steps to execute the Non-Bailable Warrant against the said P.Ragavan, within a period of two months.

6.Considering the facts and circumstance of the case and the submission made by the learned Government Advocate, this Court is inclined to allow this petition and the respondents are directed execute the Non-Bailable Warrant issued by the learned Judicial Magistrate, Sathankulam, Thoothukudi District in C.C.No.139 of 2005, on 22.09.2005 within a period of two months from the date of receipt of a copy of this order.

7.Accordingly, the Criminal Original petition is allowed.

Sd/-

Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1.The Superintendant of Police,
Thoothukudi District.Thoothukudi.

2.The Inspector of Police,
Nazareth Police Station,Thoothukudi District.

3.The Judicial Magistrate,
Sathankulam, Thoothukudi District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.R.ANAND, Advocate SR.No.81438

cmr/Arul/mm

MAS/KP/SAR2:05.10.2017:2P-6C

Crl.O.P.(MD) No.13424 of 2017

28.09.2017