



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.10.2017

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THE HON'BLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.13520 of 2017

Rajathi

... Petitioner

-Vs-

1. State through by
The Inspector of Police,
City North Police Station,
Dindigul District.

2. Saroja

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the 1st respondent to execute the warrant issued by the learned Judicial Magistrate No.II, Dindigul, dated 27.02.2017 in C.C.No.66 of 2014.

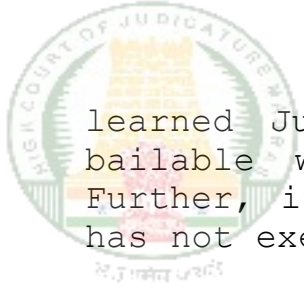
For Petitioner	: Mr.M.Subash Babu
For R1	: Mr.K.S.Durai Pandian
	Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the 1st respondent to execute the warrant issued by the learned Judicial Magistrate No.II, Dindigul, dated 27.02.2017 in C.C.No.66 of 2014.

2.The learned counsel for the petitioner states that she has given a complaint to the first respondent against the second respondent for the alleged offences under Section 138 of Negotiable Instrument Act and that the case is pending since 2014 in C.C.No.66 of 2014 before the learned Judicial Magistrate No.II, Dindigul and the trial was also commenced on 15.04.2014. It is further stated that the second respondent did not appear before the Court on several occasions so as to drag on the proceedings.

3.In the said circumstances, at the instance of the petitioner, the learned Judicial Magistrate No.II, Dindigul, has issued a bailable warrant against the second respondent on 28.02.2016. After some time, the second respondent surrendered before the Court and re-called her bailable warrant. Again the



learned Judicial Magistrate No.II, Dindigul, has issued second bailable warrant against the second respondent on 27.02.2017. Further, it is stated by the petitioner that the first respondent has not executed the bailable warrant.

4.The learned Additional Public Prosecutor, on instructions, submitted that the bailable warrant was re-called at the instance of the second respondent and that the matter is posted for hearing on 13.10.2017.

5.Having regard to the circumstances pointed out, instead of directing the first respondent to execute the bailable warrant dated 27.02.2017, this Court is inclined to direct the learned Judicial Magistrate No.II, Dindigul, to complete the trial and dispose of C.C.No.66 of 2014 as expeditiously as possible preferably within a period of four months from the date of receipt of a copy of this order.

6.The Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
City North Police Station,
Dindigul District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Mm

MK/KK/SAR-2/06.11.2017/2P/3C

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