

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2018

CORAM :

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.21372 of 2017

T.Udayaraj

.. Petitioner

Vs

1. The Superintendent of Police,
Sivagangai District.

2. The Inspector of Police,
Karaikudi Town Police Station,
Karaikudi.

3. K.R.Muthiah @ A.K.Muthiah

.. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the respondents to execute the non bailable warrant issued against the third respondent by securing him to be present in the trial Court in C.C.No.1670 of 2011 pending on the file of the Metropolitan Magistrate Court (Fast Track Court - II), Egmore (at Allikulam Complex), Chennai.

For Petitioner : Mr.R.Amizhdu

For R1 & R2 : Ms.M.Prabhavathi,
Addl. Public Prosecutor

ORDER

This petition has been filed to direct the respondents 1 and 2 to execute the non bailable warrant issued against the 3rd respondent by securing him to be present before the Metropolitan Magistrate Court (Fast Track Court - II), Egmore (at Allikulam Complex), Chennai, in connection with C.C.No.1670 of 2011, pending on the file of the said Court.

2. Today, Mr.G.Anthony Sesuraj, Special Sub Inspector of Police, Karaikudi North Police Station, Sivagangai, is present before this Court.

3. On instructions, the learned Additional Public Prosecutor submitted that the accused is not living within the limits of Sivagangai and therefore, the warrant has been returned to the Fast Track Court-II, Egmore, Chennai.

4. On 13.06.2018, this Court passed the following order :

"Today, Ms.D.Jebachitra, Sub Inspector of Police is present before this Court. She is directed to verify that the original warrant that has been issued by the Fast Track Court-II, Egmore is available with the Inspector of Police, Karaikudi Town Police Station.

2. The Valasaravakkam Police shall also make discreet enquiry, if the accused is available in the address that has been given by the learned counsel for the petitioner.

3. Post the matter on 28.06.2018."

5. Mr.R.Amizhdhu, learned counsel for the petitioner submitted that the petitioner had given the address of the accused in Valasaravakkam, Kumaran Salai, however, no steps have been taken.

Recording the same, this petition is closed with liberty to the petitioner to obtain fresh warrant from the trial Court for execution by giving the known address of the accused.

Sd/-

Assistant Registrar(CS viii)

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Sub Assistant Registrar

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To

1. The Metropolitan Magistrate,
Fast Track Court - II,
Egmore, Chennai.
2. The Superintendent of Police,
Sivagangai District.
3. The Inspector of Police,
Karaikudi Town Police Station,
Karaikudi.
4. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.21372 of 2017

ASK(20/09/2018)