

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2018

CORAM:

The Hon'ble Mr.Justice P. RAJAMANICKAM

CRL.O.P.No.22801 of 2018

M/s.P.M.S.Financiers,
Represented by Mr.Dinesh Kumar
Managing partner .. Petitioner

Vs.

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

2. The Inspector of Police,
B-7, Vellavedu Police Station,
Vellavedu -600 124.

3. Mr.Mariyaviyagappan ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the first and second respondent to execute the Bailable warrant issued in C.C.No.4922 of 2017 on the file of the Hn'ble FTC-II Metropolitan Magistrate, Egmore, Chennai against the third respondent/accused within specified time.

For Petitioner : Mr.T.V.Suresh Kumar

For Respondents : Ms.M.Prabhavathi
Additional Public Prosecutor for R1&R2

O R D E R

This petition has been filed by the complainant to direct the first and second respondent to execute the Bailable warrant issued against the third respondent in C.C.No.4922 of 2017 on the file of the learned FTC-II Metropolitan Magistrate, Egmore, Chennai.

2. The learned counsel for the petitioner has submitted that the petitioner herein has filed a private complaint under section 138 of the Negotiable Instruments Act against the third

respondent and based on the said complaint, the learned FTC-II Metropolitan Magistrate, Egmore, Chennai has taken the case on file in C.C.No. 4922 of 2017 and tried the case. He further submitted that when the case was posted for defence side evidence, the third respondent not appeared and hence bailable warrant was issued on 27.02.2018, but, so far, the respondents 1 and 2 have not taken any steps to execute the said warrant and hence he requests to direct the respondents 1 and 2 to execute the said warrant at early.

3. The learned Public Prosecutor has submitted that two months time may be granted for executing the bailable warrant.

4. Considering the aforesaid submissions, the respondent No.2 is directed to execute the bailable warrant within two months from the date of receipt of copy of this order.

5. With the aforesaid directions, this petition is disposed of.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

vsn/vv

To

1. The FTC-II Metropolitan Magistrate,
Egmore, Chennai
2. The Superintendent of Police,
Thiruvallur District,
Thiruvallur.
3. The Inspector of Police,
B-7, Vellavedu Police Station,
Vellavedu -600 124.
4. The Public Prosecutor,
High Court of Madras, Chennai.

+2cc to M/s.Genicon & Associates, Sr.No.67260

CRL.O.P.No.22801 of 2018

VGI(CO)

CSL/12.11.2018