



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2018

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.1434 of 2018

M.K.Akbar Ali

... Petitioner

-vs-

1.I.Hassan

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

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to issue a suitable direction to the Court of Judicial Magistrate to secure the presence of the first respondent pursuant to the bailable warrant dated 23.03.2017, issued in S.T.C.220 of 2017, by the learned Judicial Magistrate, Periyakulam, pending on its file and to be heard on 01.02.2018.

For Petitioner : Mr.M.V.Venkataseshan
For R2 : Mr.Prabu Ramachandran
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, to direct the second respondent to execute a bailable warrant which was issued against the first respondent in S.T.C.No.220 of 2017, on the file of the learned Judicial Magistrate, Periyakulam.

2.The learned counsel appearing for the petitioner has submitted that the petitioner herein has filed a complaint under Section 138 of the Negotiable Instruments Act against the second respondent and based on the said complaint the case has been taken on file in S.T.C.No.220 of 2017, on the file of the learned Judicial Magistrate, Periyakulam. He further submitted that after receipt of the same, the first respondent did not appear before the Court and hence a bailable warrant has been issued on 23.03.2017, directing the second respondent to execute the said warrant. But, so far the said warrant has not been executed.

3.The learned Government Advocate (Crl.Side) has submitted that he will instruct the second respondent to execute the said warrant within a week.



4. Recording the aforesaid submissions, the second respondent is directed to execute the said bailable warrant within a week in accordance with law.

5. With the aforesaid observations, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1 The learned Judicial Magistrate, Periyakulam.

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

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

+1cc to M/S.M.V.Venkataseshan, Advocate SR.No. 45253

CRL.O.P. (MD) No. 1434 of 2018
31.01.2018

SSS

JM/RSK/SAR 1/08.02.2018/2P/5C