



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.10.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD).Nos.18591 and 18594 of 2018

WEB COPY

N.Balakrishnan

..Petitioners in both
Petitions

Vs.

1.The Inspector General of Police,
Office of the Inspector General of Police,
South Zone, Madurai.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.

3.The Inspector of Police,
District Crime Branch,
Madurai District.

4.The Inspector of Police,
Oomatchikulam,
Appanthiruppathi Police Station,
Madurai District.

..Respondents in both
Petitions

PRAYER in Crl.O.P.(MD) No.18591 of 2018: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to direct the Judicial Magistrate No.V, Madurai to dispose of the case in C.C.No.351 of 2016 in crime No.125 of 2015 for the offences under Sections 471, 406, 420 and 506(i) of I.P.C. on the file of the 4th respondent police, within a period that may be stipulated by this Court.

PRAYER in Crl.O.P.(MD) No.18594 of 2018: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to direct the 4th respondent police to execute the Non Bailable Warrant (NBW) pending from 06.04.2017 against the 1st accused in C.C.No.351 of 2016 on the file of the Judicial Magistrate No.V, Madurai in crime No.125 of 2015 for the offences under Sections 471, 406, 420 and 506(i) of I.P.C. on the file of the 4th respondent police, within a period that may be stipulated by this Court.

For Petitioner : Mr.R.Udhayakumar

For Respondents: Mr.K.Suyambulinga Bharathi,

G.A.(Crl.Side)(in both Petitions)

**COMMON ORDER**

These petitions have filed to is filed to direct the direct the 4th respondent police to execute the Non Bailable Warrant (NBW) pending from 06.04.2017 against the 1st accused in C.C.No.351 of 2016 on the file of the Judicial Magistrate No.V, Madurai in crime No.125 of 2015 for the offences under Sections 471, 406, 420 and 506(i) of I.P.C. on the file of the 4th respondent police and also to direct the Judicial Magistrate No.V, Madurai to dispose of the case in C.C.No.351 of 2016 within a period that may be stipulated by this Court.

2.Heard both sides.

3.The learned Government Advocate (criminal side) would submit that in this case, there are two accused and against the 1st accused non bailable warrant is issued and the same is pending from 06.04.2017 and the case is posted for the appearance of the accused. He would further submit that since the 1st accused is bedridden, the 4th respondent is not able to execute the warrant as against him.

4.It is seen from the records that the case is pending from 2016, which was taken cognizance as against two accused, out of which, the 1st accused is bedridden. When the case is also posted for the appearance of the accused persons on 06.04.2017, 1st accused was absent and hence, non bailable warrant has been issued as against him. However, since he is bedridden, till today, the warrant has not been executed by the fourth respondent.

5.Considering the facts and circumstances of the case, this Court direct the 4th respondent to execute the non bailable warrant pending as against the 1st accused, within a period of four weeks from the date of receipt of a copy of this order and thereafter, on the appearance of the accused, the learned Judicial Magistrate No.V, Madurai, is directed to dispose of the case in C.C.No.351 of 2016, within a period of six months,

6.With the above directions, these criminal original petitions are disposed of.

Sd/-

Assistant Registrar (Crl-Side)

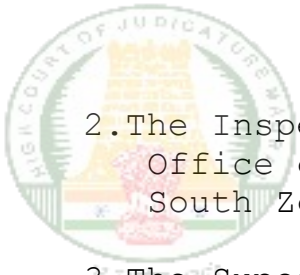
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Sub Assistant Registrar(CS-III)

To

<https://hcservices.ecourts.gov.in/hcservices/>

1.The Judicial Magistrate No.V,
Madurai.



2.The Inspector General of Police,
Office of the Inspector General of Police,
South Zone, Madurai.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.

4.The Inspector of Police,
District Crime Branch,
Madurai District.

5.The Inspector of Police,
Oomatchikulam,
Appanthiruppathi Police Station,
Madurai District.

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

Arul

BU/SKN/SAR-III:26.11.2018 : 3P/7C

Crl.O.P. (MD) .Nos.18591 and 18594 of 2018
23.10.2018