



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Cr1.O.P.[MD].No.8511 of 2014

S.Eswaramoorthy

: Petitioner

Vs.

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

2.The Inspector of Police,
Aravakurichi Police Station,
Karur District.

3.M.Nagoor Meeran

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to direct the 2nd respondent to execute the warrant against the 3rd respondent issued by the learned Judicial Magistrate No.I, Karur in S.T.C.No.14 of 2012, dated 02.04.2014.

For Petitioners : Mr.S.Gokul Raj

For R-1 and R-2 : Mr.K.Dineshbabu

Additional Public Prosecutor

ORDER

The criminal original petition has been filed for a direction to the 2nd respondent to execute the warrant against the 3rd respondent issued by the learned Judicial Magistrate No.I, Karur in S.T.C.No.14 of 2012, dated 02.04.2014.

2. The learned counsel for the petitioner would submit that the 3rd respondent herein borrowed a sum of Rs.1,50,000/- (Rupees one lakh fifty thousand only) from the de-facto complainant on 21.08.2011 after receipt of the same. Thereafter, he failed to repay the said amount and issued cheque and the same was returned as dishonoured. Therefore, the petitioner initiated the proceedings under Section 138 of the Negotiable Instruments Act, before the learned Judicial Magistrate No.I, Karur in S.T.C.No.14 of 2012. After, the learned Magistrate was pleased to issue summons for appearance of the 3rd respondent on 02.04.2014. On 02.04.2014, the 3rd respondent failed to appear. Therefore, the learned Magistrate was pleased to issue



Non-Bailable warrant that was duly received by the 2nd respondent and till today they are not execute the warrant issued against the 3rd respondent herein.

3. Considering the facts and circumstances, this Court deem it fit to direct the second respondent to execute the Non-Bailable warrant issued by the learned Judicial Magistrate No.I, Karur in S.T.C.No.14 of 2012, dated 02.04.2014 as against the 3rd respondent within a period of four weeks from the date of receipt of a copy of this order.

4. Accordingly, this Criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS-I)

To

1.The Judicial Magistrate No.I, Karur.

2.The Superintendent of Police,
Karur District, Karur.

3.The Inspector of Police,
Aravakurichi Police Station,
Karur District.

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

+1 CC To MR.S.GOKULRAJ, Advocate SR. NO. 85274

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SJI

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