



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2018

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.O.P. (MD) No.15401 of 2018

WEB COPY

Meharnisha

... Petitioner

Vs.

1. The Superintendent of Police
Theni District
Theni

2. The Inspector of Police
All Women Police Station
Uthamapalayam
Theni District
(Crime No.10 of 2011)

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the second respondent to execute the Non Bailable Warrant pending against the accused no.1 in C.C.No.393 of 2011 on the file of the learned Judicial Magistrate, Uthamapalayam, Theni District pertaining to Cr.No.10 of 2011.

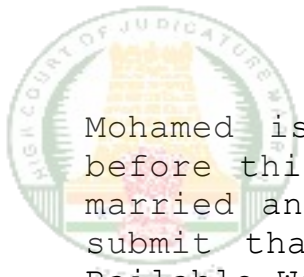
For Petitioner : Mr.K.Chengizkhan
For Respondents : Mr.M.Chandrasekaran
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed for a direction to the second respondent to execute the Non Bailable Warrant pending against Raja Mohamed who is cited as A1 in C.C.No.393 of 2011, which is pending on the file of the learned Judicial Magistrate, Uthamapalayam.

2. It is seen from the records that the final report was filed by the second respondent on 11.08.2011 and it is seen that A1 is absconding and the court below has already issued a Non Bailable Warrant to secure A1 Raja Mohamed. The learned counsel would further submit that till date the second respondent has not executed the Non Bailable Warrant and the said Raja Mohamed is available in the locality. He would also further submit that the case has already been split up insofar as the other accused persons namely A2 to A8 and the same is pending in C.C.No.431 of 2013.

3. The learned Additional Public Prosecutor would submit that even though it is the claim by the petitioner that the said Raja



Mohamed is in the same locality, even in the petition filed before this Court, it is stated that the said Raja Mohamed got married and he is living separately in Chennai. He would further submit that the second respondent police will execute the Non Bailable Warrant if some more time is given to them.

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4. Taking into consideration, the facts and circumstances of the case, the second respondent is directed to execute the Non Bailable Warrant pending against the said Raja Mohamed who is cited as A1 in C.C.No.393 of 2011 within a period of four weeks from the date of receipt of a copy of this order.

5. The Court below namely, the learned Judicial Magistrate, Uthamapalayam shall ensure that the second respondent shall execute the Non Bailable Warrant and produce A1 before the Court within the time stipulated in this order.

6. With the above direction, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The Judicial Magistrate,
Uthamapalayam.
2. The Superintendent of Police
Theni District
Theni
3. The Inspector of Police
All Women Police Station
Uthamapalayam
Theni District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.K.Chengizkhan, Advocate SR.No.81092

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MK/RSK/SAR 2/17.09.2018/2P/6C

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30.08.2018