

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.02.2019

Coram

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.25281 of 2016

M/s.EON Electrical Ltd,
Reptd by its Power agent
Mr.E.Velu (M/A 33)
S/o.C.Ellappan
Senior Sales Executive
116/4, Mahalakshmi Nagar Extn
Noobal Village, Thiruverkadu
Chennai.

... Petitioner / Complainant

Vs.

1. The Commissioner of Police
The Commissioner's Office
Vepery, Chennai.

2. The Inspector of Police
P-1, Puliyanthope Police Station
Puliyanthope, Chennai.

.... Respondents

3. Mr.Sheik Omar
Proprietor
M/s.Limra Electricals
42/21 Mannarsami Street
Puliyanthope, Chennai - 12

.. Respondent / Accused

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the first and second respondent police to execute the Bailable Warrant issued against the third respondent/accused in C.C.No.2836/2015 by the learned Metropolitan Magistrate, Fast Track Court-I at Egmore, Chennai.

For Petitioner : M/s.E.Malarkodi

For R1 & R2 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the first and second respondent police to execute the Bailable Warrant issued against the third respondent/accused in

C.C.No.2836/2015 by the learned Metropolitan Magistrate, Fast Track Court-I at Egmore, Chennai.

2. The petitioner is engaged in the business of manufacturing and marketing of electrical protection devices and various types of Wires, Cables, LED Lights, etc. The 3rd respondent/accused had placed orders of electrical goods with the petitioner to the tune of Rs.97,67,648/-, in which, the third respondent was due to petitioner to the tune of Rs.63,68,915/-. The petitioner was issued a Cheque for the due amount, but, it was dishonored by the bank, and therefore, the petitioner has filed a private complaint against the 3rd respondent under Section 138 of the Negotiable Instrument Act, before the learned Metropolitan Magistrate, Fast Track Judge-I, Egmore. As the third respondent was deliberately absented himself despite the notice of the Court, a Bailable Warrant was issued against the 3rd respondent, but, it has not been executed by the second respondent till date. Therefore, this Writ Petition is filed.

3. Considering the above facts and circumstances of the case, the second respondent is directed to execute the Bailable Warrant issued as against the third respondent in C.C.No.2836/2015 on the file of the learned Metropolitan Magistrate, Fast Track Court-I, Egmore, Chennai, within a period of four weeks from the date of receipt of a copy of this order, if any warrant is pending as against the third respondent.

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

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

raja

To

1.Metropolitan Magistrate,
Fast Tract Court I,
Egmore, Chennai.

2.-do- Thro' The Chief Metropolitan Magistrate,
Egmore, Chennai.

3.The Commissioner of Police
The Commissioner's Office
Vepery, Chennai.

4. The Inspector of Police
P-1, Puliyanthope Police Station
Puliyanthope, Chennai.

5. The Public Prosecutor
High Court, Madras.

+1cc to Mr.E.Malarkodi, Advocate, S.R.No.19079

Cr1.O.P.No.25281 of 2016

SKV(CO)

RRS (09/04/2019)



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