

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.1971 of 2019

A.Tamilazhagan

... Petitioner

Vs.

1. The Superintendent of Police
Dharmapuri District,
Dharmapuri.

2. The Inspector of Police,
B.1 Police Station,
Dharmapuri District.

3. P.K. Sekar

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the respondents 1 and 2 to execute the non bailable warrant against the third respondent issued by the Fast Track Court, (Judicial Magistrate level), Dharmapuri in S.T.C.No.68 of 2013 dated 27.11.2014, within stipulated period of time.

For Petitioner : Mr.B.Gopalakrishnan

For Respondents

R1 & R2 : Mr.Mohammed Riyaz

Additional Public Prosecutor.

O R D E R

This Criminal Original Petition has been filed for direction to direct the respondents 1 and 2 to execute the non bailable warrant issued as against the third respondent in S.T.C.No.68 of 2013 on the file of the Fast Track Court (Judicial Magistrate level) Dharmapuri on 27.11.2014.

2. The learned counsel for the petitioner would submit that the non bailable warrant issued as against the third respondent has been pending from the year 2014 onwards. After filing this petition, the third respondent surrendered before the concerned Court and recalled the non bailable warrant issued against him. He further submitted that thereafter the third respondent did not appear before the trial Court and the trial is still pending. Therefore, he sought for necessary directions

from this Court.

3. It is seen that the warrant as against the third respondent has been pending from the year 2014 onwards and only for that reason, the trial proceeding stalled by the third respondent herein. Now it is also seen that the third respondent surrendered before the concerned Court and recalled the warrant. Considering the above facts and circumstances of the case, this Court is inclined to pass the following orders :-

(i) the third respondent is directed to appear before the trial Court on all hearings without fail.

(ii) the trial Court shall complete the trial proceedings within a period of three months from the date of receipt of a copy of this Order.

4. With the above directions, this Criminal Original Petition stands disposed of.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

rts

To

1. The Fast Track Court,
(Judicial Magistrate level),
Dharmapuri.

2. The Superintendent of Police
Dharmapuri District,
Dharmapuri.

3. The Inspector of Police,
B.1 Police Station,
Dharmapuri District.

4. The Public Prosecutor,
High Court of Madras,
Chennai.

+1 CC to Mr.B.Gopalakrishnan, Advocate sr 10913

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VSNII(CO)
SP(07/03/2019)