

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2019

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.NO.2592 of 2019
and Crl.M.P.No.1674 of 2019

B.Papu Dadeus Mahimainathan

...Petitioner

Vs

1.The Deputy Inspector General of Police,
Salem Zone,
Subramaniyapuram,
Salem - 636 007.

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

3.The Inspector of Police,
District Crime Branch,
Office of Superintendent of Police,
Namakkal District.

...Respondents

Prayer: This Criminal Original Petition filed under Section 482 of Cr.P.C, directing the respondent Police to comply the Non bailable warrant (NBW) issued on the accused Nos.2 and 3 and secure them in C.C.No.163 of 2013 on the file of the Judicial Magistrate-I, Paramathi and complete the trial within a specified.

For Petitioner : Mr.P.Sivakumar

For Respondents: Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking for a direction to the respondent Police to execute the Non-bailable warrant that has been issued by the learned Judicial Magistrate No.I, Paramathi in C.C.No.163 of 2013 as against the 2nd and 3rd accused.

2. This Court is of the considered view that the 1st and 2nd respondents are unnecessary parties in this case and their names are deleted. The petitioner is the defacto complainant and according to the learned counsel for the petitioner, A2 and A3 are the main accused persons, who have been absconding and the Non-bailable warrant issued against them is also pending for more than four years. The respondent Police is not executing the Non-bailable warrant and therefore, the case is pending without any progress from the year 2013 onwards.

3. This Criminal Original Petition is disposed of with a direction to the 3rd respondent to execute the Non-bailable warrant against the A2 and A3 and secure them and produce before the Court below, within a period of six weeks from the date of receipt of a copy of this order and consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

vv2/rka
To

- 1.The Deputy Inspector General of Police,
Salem Zone,
Subramaniyapuram, Salem - 636 007.
- 2.The Superintendent of Police,
Namakkal, Namakkal District.
- 3.The Inspector of Police,
District Crime Branch,
Office of Superintendent of Police,
Namakkal District.
- 4.The Public Prosecutor,
High Court, Madras.
- 5.The Judicial Magistrate No.1,
Paramathi.

+1cc to Mr.P.Sivakumar, Advocate Sr.7993

srg 22/02/2019

Crl.O.P.No.2592 of 2019