

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.3025 of 2019

Soosaimariyan

... Petitioner

Vs.

The State Rep. by
The Inspector of Police,
B-II Police Station Saibaba Colony,
Coimbatore.

... Respondent

PRAYER:

Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the respondent to execute the warrant issued by the learned Judicial Magistrate, Fast Track Court at Magisterial Level-II, Coimbatore in C.C.No.324 of 2014, within the time frame as fixed by this Court.

For Petitioner : Mr.M.A.R.Pragash

For Respondent : Mr.M.Mohammed Riyaz
Additional Public Prosecutor.

O R D E R

This Criminal Original Petition has been filed seeking direction to direct the respondent to execute the warrant issued by the learned Judicial Magistrate, Fast Track Court at Magisterial Level-II, Coimbatore in C.C.No.324 of 2014, within the time frame as fixed by this Court.

2. It is seen from the records that the petitioner filed a case in C.C.No.324 of 2014 on the file of the learned Judicial Magistrate, Fast Tract Court No.II, Coimbatore for dishonor of cheque and the said Court by an order dated 22.09.2015, convicted the accused person to undergo simple imprisonment of ten months and to pay a fine of Rs.3,000/- in default to undergo one month simple imprisonment. The said order was confirmed by the learned I Additional District and Session Judge, Coimbatore in C.A.No.225 of 2015 by an order dated 15.11.2016. Aggrieved by the said order the accused preferred a Criminal Revision Petition in Crl.R.C.No.247 of 2017 before this Court and the same was also dismissed for non-prosecution by an order dated

26.03.2018. After dismissing all the appeals filed by the accused person, the respondent police did not execute the order passed by the learned Judicial Magistrate, Fast Tract Court No.II, Coimbatore in C.C.No.324 of 2014 on 22.09.2015.

3. Considering the above facts and circumstance of the case, this Court deems to fit to direct the respondent police to execute the warrant issued by the learned Judicial Magistrate, Fast Track Court at Magisterial Level-II, Coimbatore in C.C.No.324 of 2014, within a period of three months from the date of receipt of copy of this Order. Accordingly, this Criminal Original Petition stands allowed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

rts

To

1. The I Additional District and Session Court,
Coimbatore
2. The Judicial Magistrate Court,
Fast Tract Court No.II,
Coimbatore
3. The Inspector of Police,
B-II Police Station Saibaba Colony,
Coimbatore.
4. The Public Prosecutor,
High Court of Madras,
Chennai.

+1cc to Mr.M.A.R.Pragash, Advocate, S.R.No.9544

CRL.O.P.No.3025 of 2019

SJ(CO)
NR/28/03/2019

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