

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.15251 of 2019

M.Ramesh

...Petitioner/Defacto complainant

Vs.

1. Vivek P Nair

...Respondent/accused

2. The Inspector of Police,
D3 Thiruvallikeni Police Station,
Chennai

...Respondents / Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to direct the 2nd respondent to arrest the 1st respondent / accused in complaint numbered as C.C.No.2108 of 2016 on the file of Fast Track Court I, Metropolitan Magistrate, Egmore, Chennai and produce before the Trial Court.

For Petitioner : Mr.A.Ramesh Manikandan

For Respondents : Mr.M.Mohamed Riyaz

Additional Public Prosecutor
for R2

O R D E R

The grievance of the petitioner is that the petitioner has filed a private complaint against the 1st respondent for an offence under Section 138 of Negotiable Instrument Act in the year 2015 and the same is numbered as C.C.No.2108 of 2016 and from then onwards, the case is pending at the stage of issuing summons to the 1st respondent.

2. The learned counsel for the petitioner submitted that the petitioner has taken steps to serve the summons on the 1st respondent from the year 2016 onwards and the 1st respondent is evading service. The Court below without taking into account the fact that the 1st respondent is evading summons continuously orders for issuance of fresh summons and as a result of the same, there is no progress in the case. The learned counsel further submitted that the 1st respondent is very much available at Chennai and regularly contributing in the Face book and other social media.

3. Taking into consideration the facts and circumstances of the case, there shall be a direction to the learned Fast Track Court I, Metropolitan Magistrate, Egmore, to issue a non-bailable warrant against the 1st respondent and secure him and thereafter, proceed further with the complaint in accordance with law and complete the same as expeditiously as possible.

4. This Criminal Original Petition is disposed of with the above directions.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

rka/msrm

To

1. The Fast Track Court I,
Metropolitan Magistrate, Egmore
2. The Inspector of Police,
D3 Thiruvallikeni Police Station,
Chennai
3. The Public Prosecutor,
High Court of Madras.

+2 ccs to Mr.A.Ramesh Manikandan, Advocate, S.R.No.48693

KS(CO)
SSM(24/06/2019)

Crl.O.P.No.15251 of 2019

सत्यमेव जयते

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