



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2019

CORAM :

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Crl.O.P. (MD)No.6378 of 2019

Santhanam

... Petitioner

/Vs./

1.The Inspector of Police,
Vallam Police Station,
Thanjavur District.

2.Vadivelsamy @ Vadivel

... Respondents

Prayer: Petition - filed under Section 482 of the Criminal Procedure Code, to direct the 1st respondent to execute the Non Bailable Warrant dated 28.09.2018, issued by the learned Judicial Magistrate, Valliyoor against the 2nd respondent within the stipulated period as fixed by this Court.

For Petitioner : Mr.K.Rajeshwaran

For R-1 : Mr.V.Neelkandan
Additional Public Prosecutor

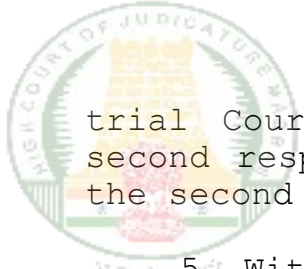
ORDER

This petition is filed to direct the 1st respondent to execute the Non Bailable Warrant dated 28.09.2018, issued by the learned Judicial Magistrate, Valliyoor against the 2nd respondent.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor.

3. The learned counsel appearing for the petitioner submitted that the private complaint is one under Section 138 of the Negotiable Instruments Act, that the second respondent who is the drawer of the cheque is absconding and that a non-bailable warrant has been issued and remains unexecuted from 28.09.2018. Now, he seeks execution of the non-bailable warrant.

4. Suffice to say for the present, the first respondent is now directed to execute the non-bailable warrant issued against the second respondent, within a period of four weeks from the date of receipt of a copy of this order. Upon securing his presence, the



trial Court may even contemplate cancelling bail granted to the second respondent and ensure the presence and the participation of the second respondent in the trial.

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

Sd/-

Assistant Registrar (C.O)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Judicial Magistrate, Valliyoor.

2.The Inspector of Police,
Vallam Police Station,
Thanjavur District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.RAJESHWARAN, Advocate SR-64478.

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CS: (04/06/2019) 2P 5C