



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 25.10.2019

CORAM :

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD)No.649 of 2019

Muppidathi Chettiar

... Petitioner/Complainant

Vs.

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.State through
The Inspector of Police,
Sankarankovil Town Police Station,
Sankarankovil Town.

... Respondents/Complainant

3.Abdulrahman

... Respondent/Sole Accused

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to direct the respondents 1 and 2 to secure the third respondent as per warrant issued by the learned Judicial Magistrate Court, Sankarankovil in C.C.No.27/2013.

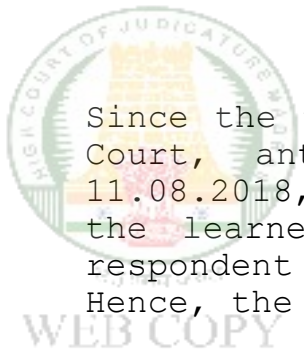
For Petitioner : Mr.T.Selvan

For R1 & R2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

O R D E R

This petition has been filed to direct the respondents 1 and 2 to secure the third respondent as per warrant issued by the learned Judicial Magistrate Court, Sankarankovil in C.C.No.27/2013.

2. The petitioner has preferred the Calender Case as against the third respondent in C.C.No.27/2013 before the learned Judicial Magistrate Court, Sankarankovil u/s 138 of Negotiable Instruments Act. After issuing summon, the third respondent did not appear before the Trial Court and as such, it is pending from the year 2013. Therefore, the Trial Court issued non-bailable warrant as against the third respondent. At this juncture, the third respondent filed a anticipatory bail petition before this Court in Crl.O.P.No.7069 of 2018 and the same was ordered on 27.04.2018.



Since the third respondent has not complied with the order of this Court, anticipatory bail petition was cancelled. Finally, on 11.08.2018, warrant was issued as against the third respondent by the learned Judicial Magistrate, Sankarankovil. But, the first respondent has not taken any steps to secure the third respondent. Hence, the petitioner preferred this petition.

3. Considering the above facts and circumstance, the second respondent is directed to execute the non-bailable warrant issued as against the third respondent in C.C.No.27/2013 on the file of the learned Judicial Magistrate Court, Sankarankovil within a period of four weeks from the date of receipt of a copy of this order.

4. Further, the petitioner is assist the second respondent to execute non-bailable warrant to correct address of the third respondent.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

dss

To

1. Judicial Magistrate Court, Sankarankovil

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

3. The Inspector of Police,
Sankarankovil Town Police Station,
Sankarankovil Town.

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

+1 CC to Mr.T.SELVAN, Advocate (SR-94598[F] dated 25/10/2019)

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