



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 18.09.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) No.12988 of 2019

WEB COPY

I.Francis Joseph

... Petitioner/Complainant

Vs.

State through

1. The Superintendent of Police
Ramanathapuram
Ramanathapuram District

2. The Inspector of Police
Bazar Police Station
Ramanathapuram District

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the 1st and 2nd respondent to execute the Non Bailable Warrant issued by the Learned Judicial Magistrate No.1, Ramanathapuram, dated 07.06.2019 on the basis of the petitioner's complaint dated 10.06.2016.

For Petitioner : Mr.J.Jeyakumaran
For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate(Crl.Side)

ORDER

This petition has been filed seeking direction to direct the 1st and 2nd respondent to execute the Non Bailable Warrant issued by the learned Judicial Magistrate No.1, Ramanathapuram, dated 07.06.2019 on the basis of the petitioner's complaint dated 10.06.2016.

2. The petitioner initiated proceedings under Section 138 of the Negotiable Instruments Act in STC No.385 of 2014 on the file of the learned Judicial Magistrate No.I, Ramanathapuram and which was ended in acquittal, against which the petitioner preferred an appeal in C.A. No. 12 of 2017 on the file of the Principal District and Sessions Court, Ramanathapuram and the same was reversed and the accused was convicted and sentenced to undergo two years rigorous imprisonment and also ordered to pay compensation of Rs.10,00,000/-. The accused filed revision before this Court in Crl.R.C(MD) No. 315 of 2018 and the same was dismissed by an order dated 10.01.2019.



3. Considering all these facts, the learned Judicial Magistrate No.1, Ramanathapuram issued Non Bailable Warrant against Mr.S.P.Sekar , which is still pending on the file of the second respondent.

4. Considering the above facts and circumstances of the case, the second respondent is directed to execute Non Bailable Warrant issued against the accused in STC No.385 of 2014 within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Judicial Magistrate No.1, Ramanathapuram

2. The Superintendent of Police
Ramanathapuram
Ramanathapuram District

3. The Inspector of Police
Bazar Police Station
Ramanathapuram District

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

+1 CC to Mr.J.JEYAKUMAR, Advocate (SR-88103[F] dated 20/09/2019)

CrI.O.P.(MD) No.12988 of 2019
18.09.2019

AAV

MK (30.09.2019) 2P 6C