



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2019

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Crl.O.P. (MD) Nos.12094 of 2019 and 7811 to 7816 of 2019

Crl.O.P. (MD) No.12094 of 2019:

N.Radhakrishnan : Petitioner

vs.

1.The Superintendent of Police,
Thoothukudi.

2.The Inspector of Police,
Nalatinputhur Police Station,
Kovilpatti Taluk,
Thoothukudi District.

: Respondents

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to direct the respondents herein to execute the non-bailable warrant issued by the Fast Track Court, Kovilpatti, in C.C.No.41 of 2018.

For Petitioner : M/s.Lakshmi Gopinathan,
For M/s.Polax Legal Solutions
For Respondents : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.side)

Crl.O.P. (MD) Nos.7811 to 7816 of 2019:

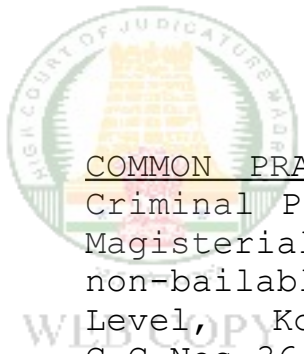
Shakila : Petitioner in all Crl.O.Ps.

Versus

1.State Rep. by the Inspector of Police,
Nalatinputhur Police Station,
Kovilpatti,
Thoothukudi District.

2.M/s.Jupietar Match Industries,
represented by its Partner,
N.Radhakrishnan

Respondents in all Crl.O.Ps.



COMMON PRAYER: Petitions are filed under Section 482 of the Criminal Procedure Code praying to direct the Fast Track Court at Magisterial Level, Kovilpatti, Thoothukudi District, to recall the non-bailable warrant issued by the Fast Track Court at Magisterial Level, Kovilpatti, Thoothukudi District on 02.05.2019 in C.C.Nos.36, 37, 38, 39, 40 and 41 of 2018 respectively.

For Petitioner	:	Mr.V.Rajiv Rufus
in all petitions		
For Respondent No.1	:	Mr.K.Suyambulinga Bharathi,
in all petitions		Government Advocate (Crl.side)
For Respondent No.2	:	M/s.Lakshmi Gopinathan,
in all petitions		For M/s.Polax Legal Solutions

COMMON ORDER

Since the accused and the complainant are one and the same, all the petitions were heard together and disposed of by this common order.

2. The petition in Crl.O.P.(MD)No.12094 of 2019 has been filed seeking a direction to the respondents to execute the non-bailable warrant issued by the Fast Track Court, Kovilpatti, in C.C.No.41 of 2018.

3. According to the petitioner in Crl.O.P.(MD)No.12094 of 2019, he filed a private complaint against one Shakila. In the above said case, since the accused was not present, the Trial Court issued non-bailable warrant against her. But, so far, the warrant is not executed by the second respondent. Hence, the petitioner has filed the present petition in Crl.O.P.(MD)No.12094 of 2019 to execute the non-bailable warrant.

4. Likewise, apart from C.C.No.41 of 2018, C.C.Nos.36, 37, 38, 39 and 40 of 2018 are also pending against the accused, by name Shakila. Now, she has also filed the petitions in Crl.O.P.(MD) Nos.7811 to 7816 of 2019, seeking a direction to recall the warrant in all the cases.

5. The learned counsel appearing for the accused submitted that since the accused is a chronic patient, she was hospitalized and her non-appearance is not an intentional one. Now, the accused is ready and willing to appear before the Trial Court and file a necessary application to recall the warrant.

6. Considering the above submissions, the petitioner in Crl.O.P.(MD) Nos.7811 to 7816 of 2019 is directed to appear before the Trial court on 25.09.2019 and file a necessary application to recall the warrant. On filing such application, the Fast Track Court at Magisterial Level, Kovilpatti, is directed to consider the application and recall the warrant and proceed with the trial



in C.C.Nos.36, 37, 38, 39, 40 and 41 of 2018 expeditiously. It is also made clear that the accused should appear before the Trial Court regularly, without fail in future.

7. The Criminal Original Petitions are closed with the above direction.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

SML

To

1.The Fast Track Court at Magisterial Level,
Kovilpatti,
Thoothukudi District.

2.The Superintendent of Police,
Thoothukudi.

3.The Inspector of Police,
Nalatinputhur Police Station,
Kovilpatti Taluk,
Thoothukudi District.

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

+1 CC to M/s.V.RAJIV RUFUS, Advocate (SR-84410[F] dated 30/08/2019)

+1 CC to M/s.POLAX LEGAL SOLUTIONS, Advocate (SR-84748[F] dated 30/08/2019)

Common Order made in
**Cr1.O.P. (MD) Nos.12094 of 2019 and
7811 to 7816 of 2019
dated: 30.08.2019**

KM/ (17.09.2019) 3P 7C