



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.09.2019

CORAM:

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

Crl.O.P. (MD)No.13373 of 2019

V.Mohan

... Petitioner

-Vs-

1.The State Rep. By,
The Inspector of Police,
Karur Town Police Station,
Karur.

2.M/s.ICICI Bank Limited,
Rep. By its Authorised Signatory/
Branch Manager,
Old By-Pass Road,
Karur.

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the respondent to execute the bailable warrant issued in E.A.No.02 of 2015 dated 30.11.2017 on the file of the District Consumer Disputes Redressal Forum, Karur.

For Petitioner : Mr.R.Jayaprakash

For 1st Respondent : Mr.K.Suyambulinga Bharathi
Government Advocate(Crl.side)

O R D E R

This Criminal Original Petition has been filed to direct the first respondent to execute the bailable warrant issued as against the second respondent in E.A.No.02 of 2015 dated 30.11.2017 on the file of the District Consumer Disputes Redressal Forum, Karur.

2.It is seen that the bailable warrant was issued as against the second respondent herein by the District Consumer Disputes Redressal Forum, Karur, in E.A.No.02 of 2015 dated 30.11.2017. The petitioner filed a complaint under the Consumer Protection Act and the same was ordered on 11.09.2013 directing the second respondent to return the original title deeds and to pay a sum of Rs.20,000/- as compensation within 60 days. Since the second respondent did not comply the order passed by the District Consumer Disputes Redressal Forum in complaint No.16 of 2012, the petitioner filed an execution petition in E.A.No.2 of 2015 and the District Consumer Disputes



Redressal Forum, Karur had issued bailable warrant as against the second respondent/ ICICI Bank. The petitioner failed to mention the specific name of the manager of the ICICI Bank, who obtained bailable warrant. Therefore, the warrant issued as against the second respondent cannot be executed by the first respondent.

3.Considering the facts and circumstances of the case, the District Consumer Disputes Redressal Forum, Karur is directed to issue fresh bailable warrant, after the petitioner shall correct the name of the Manager of the ICICI Bank/second respondent.

4.With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar(CS-II)

/TRUE COPY/

Sub Assistant Registrar

vsg

To

1.The District Consumer Disputes Redressal Forum,
Karur District.

2. The Inspector of Police,
Karur Town Police Station,
Karur.

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

+1 CC to M/s.D.SELVANAYAGAM, Advocate (SR-89433[F] dated 26/09/2019)

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JM/23.10.2019/2P/5C