



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.12994 of 2019

WEB COPY

Devaraj Nadar

... Petitioner

Vs.

1. The Superintendent of Police
Thoothukudi
Thoothukudi District

2. The Inspector of Police
Meignanapuram Police Station
Thoothukudi District

3. Packiayaraj Augustine

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the 2nd respondent to execute the Non Bailable Warrant dated 20.03.2019, issued by the Learned Judicial Magistrate, Sathankulam in S.T.C. No.17 of 2015 against the 3rd respondent within the time limit that may be fixed by this Honourable Court.

For Petitioner	:	Mr.N.Ramesh Arumugam
For Respondents	:	Mr.K.Suyambulinga Bharathi
No.1 and 2		Government Advocate(Crl.Side)

ORDER

This petition has been filed seeking direction to direct the 2nd respondent to execute the Non Bailable Warrant dated 20.03.2019, issued by the Learned Judicial Magistrate, Sathankulam in S.T.C. No.17 of 2015 against the 3rd respondent

2. The petitioner initiated proceedings under Section 138 of the Negotiable Instruments Act in STC No.17 of 2015 on the file of the learned Judicial Magistrate, Sathankulam and which was ended in acquittal, against which the petitioner preferred an appeal in C.A. No. 13 of 2016 on the file of the Additional District Court, Thoothukudi and the same was reversed and the accused was convicted and sentenced to under go one year simple imprisonment and also ordered to pay a fine of Rs. 3000/-, in default to undergo one month imprisonment. The accused filed revision before this Court in Crl.R.C(MD) No. 846 of 2016 and the same was dismissed by an order dated 25.10.2018.



3. Considering all these facts, the learned Judicial Magistrate, Sathankulam issued Non Bailable Warrant against Packiyaraj, 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.17 of 2015 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 (Crl.side)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Judicial Magistrate, Sathankulam

2. The Superintendent of Police
Thoothukudi
Thoothukudi District

3. The Inspector of Police
Meignanapuram Police Station
Thoothukudi District

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

+1 CC to Mr.M.S.JEYAKARTHIK, Advocate (SR-87697[F] dated 19/09/2019)

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