



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2019

CORAM:

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

Cr1.O.P.(MD) No.16920 of 2019

K.Selvaraj

...Petitioner

Vs.

1. The Inspector of Police
West Police Station
Thanjavur

2.N.Uthaya Ganesh

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to grant an order of direction directing the 1st respondent Inspector of Police West Police Station, Thanjavur to execute the Non-Bailable Warrant pending against the 2nd Respondent N.Uthaya Ganesh issued by the Judicial Magistrate, Fast Track Court (Magisterial Level), Thanjavur in C.C.No.79 of 2017.

For Petitioner : Mr.S.Vijayakumar

For Respondents : Mr.R.Anandharaj
No.1 Additional Public Prosecutor

ORDER

This petition has been filed seeking direction to direct the 1st respondent Inspector of Police West Police Station, Thanjavur to execute the Non-Bailable Warrant pending against the 2nd Respondent N.Uthaya Ganesh issued by the Judicial Magistrate, Fast Track Court (Magisterial Level), Thanjavur

2. The learned counsel for the petitioner would submit that the petitioner initiated proceedings under Section 138 of the Negotiable Instrument Act against the second respondent in C.C. No.79 of 2017 on the file of the learned Judicial Magistrate, Fast Track Court (Magisterial Level), Thanjavur . Before the trial court the second respondent did not appear and as such the trial court issued Non Bailable Warrant as against the second respondent on 30.11.2018, which is pending on the file of the first respondent. Till today, they have not taken any steps to execute the Non Bailable Warrant as against the second respondent herein.

3. The learned Additional Public Prosecutor would submit that since the respondent police could not trace the address mentioned in the warrant they are unable to trace the accused and as such the



warrant is pending with the first respondent.

4. Considering the above facts and circumstances of the case, the petitioner is directed to furnish the correct address and location of the second respondent to the first respondent and on receipt of the same, the first respondent is directed to execute the Non Bailable Warrant as against the second respondent in C.C. No.79 of 2017 on the file of the learned Judicial Magistrate, Fast Track Court (Magisterial Level), Thanjavur 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

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Judicial Magistrate,
Fast Track Court (Magisterial Level), Thanjavur
2. The Inspector of Police
West Police Station
Thanjavur
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court

+1CC TO MR.S.VIJAYAKUMAR, Advocate Sr. No. 99272

Crl.O.P.(MD) No.16920 of 2019
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