



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2019

CORAM:

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

Crl.O.P.(MD) No.17313 of 2019

and

Crl.M.P(MD) No.10221 of 2019

M.Jayalakshmi

...Petitioner/Defacto Complainant

Vs.

1. The Inspector of Police
All Women Police Station
Karaikudi.
(Cr.No.6/2001)

2.Muthukaruppan

...Respondents/Accused

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to to direct the respondent police to take effective steps for executing the non bailable warrant issued dated 28.02.2012 against the accused/2nd respondent herein through the ministry of Home affairs Government of India North Block, Central Secretariat, New Delhi- 110 001 in C.C.No. 433 of 2010 on the file of the Judicial Magistrate Court, Karaikudi.

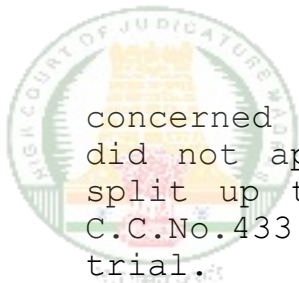
For Petitioner : Mr.V.K.Sathiamurthy

For Respondents : Mr.K.Suyambulinga Bharathi
No.1 Government Advocate(Crl.Side)

ORDER

This petition has been filed seeking direction to direct the respondent police to take effective steps for executing the non bailable warrant issued dated 28.02.2012 against the accused/2nd respondent herein through the ministry of Home affairs Government of India North Block, Central Secretariat, New Delhi- 110 001 in C.C.No. 433 of 2010 on the file of the Judicial Magistrate Court, Karaikudi.

2. The second respondent is an accused in Crime No.06 of 2001. The first respondent completed investigation and filed final report and the same has been taken cognizance in C.C.No.1462 of 2002 as against all the accused persons. Insofar as the second respondent is



concerned he is arrayed as A1. Since he is living in Malaysia, he did not appear before the trial court. Therefore the trial court split up the case against the second respondent and assigned new C.C.No.433 of 2010 and it is pending for the past nine years for trial.

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3. The learned counsel for the petitioner submitted that infact the second accused filed anticipatory bail and it was granted with certain conditions. Thereafter he failed to appear before the trial court and did not execute sureties. Now the Non Bailable Warrant is pending against him. Hence he sought for direction directing the first respondent to take effective steps to execute the Non Bailable Warrant issued against the second respondent through the Ministry of Home affairs, Government of India.

4. The learned Government Advocate(Crl.Side) submitted that already Non Bailable Warrant dated 28.02.2012 is pending against the second respondent. Pursuant to which the Deputy Superintendent of Police, Karaikudi Sub Division issued Look out Circular as against the second respondent and it is pendng.

5. Considering the above facts and circumstances of the case, the first respondent is directed to take appropriate steps to execute the Non Bailable Warrant pending against the second respondent in C.C.No. 433 of 2010 through Ministry of Home affairs, Government of India within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above observations and direction, the Criminal Original Petition stands disposed of. Consequently connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Judicial Magistrate,
Karaikudi.

2.The Inspector of Police
All Women Police Station,
Karaikudi



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

+2 CC to M/s.V.K. SATHIAMURTHY, Advocate (SR-100939[F] dated
25/11/2019)

Crl.O.P.(MD) No.17313 of 2019
25.11.2019

JMN(16.12.2019) 3P : 6C