

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.7396 of 2017

S.Taj Begum

...Petitioner

-Vs-

1.The Commissioner of Police,
Greater Chennai,
EVK SampathSalai,
Vepery, Chennai.

2.The Inspector of Police,
B1 Police Station,
Chennai.

3.Mr.Mujib Rahman,
Proprietor,
M/s.Rich Stationery & Paper
No.3/5, Sulthan Street,
Mannady, Chennai-600 001.

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the 1st and 2nd respondent police to execute the non-bailable warrant pending against the 3rd respondent in C.C.No.3613 of 2014 on the files of the Metropolitan Magistrate, Fast Track Court-IV, George Town, Chennai-01.

For Petitioner : Mr.T.Abdul Basith

For Respondents: Mr.K.Prabakar
Additional Public Prosecutor

ORDER

This petition has been filed for directing the first and second respondents to execute Non-Bailable warrant issued as against the third respondent in C.C.No.3613 of 2014 on the file of the Metropolitan Magistrate Fast Court-IV, George Town, Chennai-01.

2. It is seen that the petitioner initiated proceedings as against the third respondent for the offence punishable under Section 138 of Negotiable Instrument Act, 1881 in

C.C.No.3613 of 2014 on the file of the Metropolitan Magistrate Fast Court No.IV, George Town, Chennai. By pending trial, the third respondent was absent and the non-bailable warrant was issued as against the third respondent. On 06.03.2015, the said Non-bailable warrant has been issued by the second respondent and thereafter, the second respondent did not execute the same in the manner known to law.

3. The learned Additional Public Prosecutor submitted that the address mentioned in the warrant of the third respondent is the shop and now he shifted the shop to some other address and therefore, the second respondent could not able to find out the third respondent to execute the Non-bailable warrant issued against him.

4. Considering the above submission, the second respondent is directed to execute the Non-bailable warrant issued as against the third respondent in C.C.No.3613 of 2014 on the file of the Metropolitan Magistrate Fast Court No.IV, George Town, Chennai within a period of four weeks from the date of receipt of a copy of this order and the petitioner is directed to furnish the correct address of the third respondent and also assist the second respondent to execute the Non-bailable warrant issued as against the third respondent.

5. With the above directions, the Criminal Original Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-VIII)

//True copy//

Sub Assistant Registrar

ssb

To

- 1.The Commissioner of Police,
Greater Chennai,
EVK Sampath Salai,
Vepery, Chennai.
- 2.The Inspector of Police,
B1 Police Station,
Chennai.
- 3.The Metropolitan Magistrate
Fast Track Court IV, George Town,
Chennai-01.

CrI.O.P.No.7396 of 2017

RSI (CO)

GMV (23/09/2020)

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