

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

CRL.O.P.No.31171 of 2019

R.Rajakumar,
S/o.T.Ramadoss

... Petitioner

Vs.

1. The Inspector of Police,
T-1, Ambattur Police Station,
Ambattur,
Chennai - 600 058.

2. Mahaboob Jan,
S/o.K.H.Kejabrahim Sahib ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the first respondent to execute the Non-bailable warrant dated 30.05.2019 against the second respondent pending before the learned Metropolitan Magistrate, FTC-II, Egmore, Allikulam, in C.C.No.147 of 2009.

For Petitioner : Mr.M.Anandaraj

For Respondents

For R1 : Mr.S.Karthikeyan
Additional Public Prosecutor

For R2 : No appearance

ORDER

This petition has been filed seeking directions to direct the first respondent to execute the Non-bailable warrant dated 30.05.2019 which was issued against the second respondent by the learned Metropolitan Magistrate, FTC-II, Egmore, Allikulam, in C.C.No.147 of 2009.

2. Heard Mr.M.Anandaraj, learned counsel appearing for the petitioner and Mr.S.Karthikeyan, learned Additional Public Prosecutor appearing for the first respondent police.

3. Today when the petition is taken up for hearing, the learned Additional Public Prosecutor appearing for the first respondent police, on instructions would submit that, after issuance of Non-bailable warrant dated 30.05.2019, the second respondent/accused on 19.12.2019, surrendered before the Court

concerned and filed application to recall the warrant. The learned Metropolitan Magistrate, FTC-II, Egmore, had considered the application filed by the second respondent/accused in his favour and recalled the warrant.

4. In view of the said submission made by the learned Additional Public Prosecutor, the prayer sought out by the petitioner has become infructuous.

5. At this juncture, the learned counsel appearing for the petitioner made a submission that since the case pertains to this petition has been filed in the year 2009, it is necessary to dispose the same within a period stipulated by this Court.

6. On considering the said submission with the records, it revealed the fact that the complaint in the above referred case has been filed in the year 2009. Therefore, it is a fit case to issue direction for early disposal. Accordingly the learned Metropolitan Magistrate, FTC-II, Egmore, Allikulam, is directed to dispose the case in C.C.No.147 of 2009 within a period of four months from the date of receipt of copy of this Order.

7. With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

rts
To

1.The Metropolitan Magistrate,
FTC-II, Egmore, Allikulam.

2. The Inspector of Police,
T-1, Ambattur Police Station,
Ambattur,
Chennai - 600 058.

3. The Public Prosecutor
Madras High Court,
Chennai.

CRL.O.P.No.31171 of 2019

PPA CO
SDR 14/12/2020