

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.32507 of 2019
and CRL.M.P.No.18139 of 2019

S.P.Srinivasan

... Petitioner

Vs.

1.The Superintendent of Police,
Erode,
Erode District.

2.The Sub Inspector of Police,
Special Wing,
Erode, Erode District.

3.The Sub Inspector of Police,
Warrant Executing Special Wing,
Erode, Erode District.

(R3 is impleaded as per order in Crl.MP.No.18139/2019
in Crl.OP.No.32507/2019 dated 05.12.2019)

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the respondents to execute the bailable warrant issued by the Judicial Magistrate, Fast Track Court No.1, Erode in STC.No.498of 2015 dated 21.05.2015.

For Petitioner : Mr.M.Elango

For Respondents: Mr.S.Karthikeyan
Additional Public Prosecutor

ORDER

This petition has been filed to direct the respondents to execute the bailable warrant issued by the learned Judicial Magistrate, Fast Track Court No.1, Erode in STC.No.498of 2015 dated 21.05.2015.

2.The learned counsel appearing for the petitioner submitted that the petitioner initiated the proceedings under Section 138 of NI Act as against the accused in STC No.498 of 2015 on the file of the learned Judicial Magistrate, Fast Track Court No.1,

Erode. On receipt of the same, he did not appear before the Judicial Magistrate, hence a bailable warrants was issued as against the accused person and the same is pending on the file of the 3rd respondent herein.

3.Mr.S.Karthikeyan, learned Additional Public Prosecutor submitted that the accused is residing at Anthaman. Therefore, the 3rd respondent could not able to execute bailable warrant issued against the accused in STC No.498 of 2015.

4.Considering the above submission, the 3rd respondent is directed to transfer the bailable warrant issued as against the accused in STC No.498 of 2015 to the jurisdictional police at Anthaman where the accused is residing. Thereafter, the petitioner is directed to approach the concerned police and furnish the address of the accused and co-operate with the jurisdictional police while executing bailable warrant against him.

5.Accordingly, this Criminal Original Petition is disposed of.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

gbi
To

1. The Superintendent of Police,
Erode,
Erode District.
2. The Sub Inspector of Police,
Special Wing,
Erode, Erode District.
3. The Sub Inspector of Police,
Warrant Executing Special Wing,
Erode, Erode District.
4. The Public Prosecutor,
Madras High Court,
Chennai.

Cr1.O.P.No.32507 of 2019

MR(CO)
SP(29/09/2020)