



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P.(MD)No.13331 of 2020

T.Ganesan

: Petitioner

Vs.

1. The Inspector of Police,
Palani Town Police Station,
Dindigul District.

2. Dharmalingam

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 1st respondent police to execute the warrant against the 2nd respondent in CC No.34 of 2016, on the file of the learned Fast Track Court, (Judicial Magistrate Court), Palani dated 13.06.2019.

For Petitioner : Mr.R.Venkatesan
For R1 : Mr.V.Neelakandan
Additional Public Prosecutor

ORDER

This petition has been filed to direct the 1st respondent police to execute the warrant against the 2nd respondent in CC No.34 of 2016, on the file of the learned Fast Track Court, (Judicial Magistrate Court), Palani dated 13.06.2019.

2.According to the petitioner, the second respondent herein is the accused in CC No.34 of 2016 on the file of the learned Judicial Magistrate(Fast Track Court), Palani. In the said case, the second respondent was directed to pay a compensation of Rs.2,00,000/- to the petitioner herein in default to undergo one month imprisonment, against which, the second respondent has preferred an appeal before the learned Additional District and Sessions Judge, Palani in C.A.No.102 of 2017 and the same was dismissed. On 13.06.2019, the learned Judicial Magistrate, (Fast Track Court), Palani issued a notice to the 2nd respondent and sent a communication to the Commissioner of Police, Coimbatore. Thereafter, the petitioner has filed a petition before the learned Judicial Magistrate to direct the 1st respondent police to execute the warrant against the respondent. On 31.12.2019, the learned Magistrate has passed an order



stating that already NBW has been issued against the accused and the petitioner has to take separate steps for his grievance and accordingly the petition was closed. Therefore, the petitioner has filed the present Criminal Original Petition.

3. The learned Additional Public Prosecutor, on instructions, would submit that the learned Judicial Magistrate, (Fast Track Court) Palani has issued warrant against the second respondent herein on 02.07.2019. He would further submit that within a period of three weeks, the warrant will be executed.

4. Recording the submission made by the learned Additional Public Prosecutor, the respondent police is directed to execute the warrant against the second respondent within a period of three weeks.

5. With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar (Crl.side)

// True Copy //

/ /2021
Sub Assistant Registrar(CS-)

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Inspector of Police,
Palani Town Police Station,
Dindigul District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.R.VENKATESAN, ADVOCATE IN SR No. 22772

VRN

TE : 18/01/2021 : 2P/4C

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