



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.12.2020

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

CrI.O.P (MD)No.14545 of 2020

WEB COPY

Pattammal

... Petitioner

vs.

1)State rep by
The Inspector of Police,
Cantonment Police Station,
Trichy.
(Crime No.54 of 2016)

2)State rep by,
The Inspector of Police,
Somarasanpet Police Station,
Trichy Rural,
Trichy District.

3)State rep by
The Assistant Commissioner of Police,
Cantonment Range,
Trichy.

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the 1st respondent to execute the NBW expeditiously in P.R.C.No.8 of 2018 on the file of the Judicial Magistrate-II, Thiruchirappalli.

For Petitioner	: Mr.A.P.Sathyamurthy
For Respondents	: Mr.V.Neelakandan
	Additional Public Prosecutor

ORDER

This petition has been filed to direct the 1st respondent to execute the NBW expeditiously in P.R.C.No.8 of 2018 on the file of the Judicial Magistrate-II, Thiruchirappalli.

2.The learned counsel for the petitioner would state that the petitioner's son was abducted and beaten by the accused and based on the complaint of the petitioner, FIR in Crime No.9023 of 2020 for the offences under Sections 147, 323, 324, 347, 363 IPC @ 147, 323, 324, 347, 352, 392, 363 and 506(ii) IPC was registered and the respondent/police filed final report. Since the accused were adopting delaying tactics, the petitioner moved this Court in CrI.OP (MD)No.9023 of 2020 to expedite the case and this Court by order 20.09.2019 disposed of the said petition with a direction to complete the committal proceedings within a period of eight weeks. Since the accused failed to appear before the court, the learned



Judicial Magistrate-II, Trichy, issued a non bailable warrant on 22.11.2019, but till date the respondents/police have not executed the NBW. Hence, this petition.

3.The learned Additional Public Prosecutor would state that the respondents/police will execute the NBW within a time frame.

4.Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor.

5.Perusal of record shows that the petitioner earlier moved this Court in Crl.O.P(MD)No.9023 of 2020 for a direction to the learned Judicial Magistrate, Trichy, to complete the committal proceedings in PRC.No.8/2018 and this Court by order dated 20.09.2019, directed the learned Judicial Magistrate-II, Trichy, to complete the committal proceedings within a period of eight weeks. Thereafter, the accused failed to appear before this Court and therefore, NBW was issued on 22.11.2019. It is very unfortunate that till date, the respondents/police have not executed the NBW. Therefore, the respondents/police are directed to execute the NBW dated 22.11.2019, on or before 31.12.2020 and report the same to this Court on 04.01.2021.

6.With the above direction, this Criminal Original Petition is allowed.

7.Post on 04.01.2021 for reporting compliance.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1)The Inspector of Police,
Cantonment Police Station,
Trichy. (Crime No.54 of 2016)

2)The Inspector of Police,
Somarasanpet Police Station,
Trichy Rural,
Trichy District.



3) The Assistant Commissioner of Police,
Cantonment Range,
Trichy.

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

+1 CC to M/s.A.P.SATHYA MURTHY, Advocate (SR-26108[F] dated
18/12/2020)

ORDER MADE IN
Crl.O.P (MD) No.14545 of 2020
DATED : 17.12.2020

SSS(CO)
AP(18/12/2020) 3P 6C