



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.4506 of 2018

Sivakumar

.. Petitioner

Vs.

1. The Inspector of Police,
Triplicane Police Station,
Chennai.

2. R.Vinayagamurthy

.. Respondents

Prayer: Petition filed under Section 482 of Cr.P.C., to issue a direction Criminal Original Petition for an issuance of direction directing the first respondent police to execute the pending NBW's against the A7 (second respondent herein) and produce them before the learned Judicial Magistrate-II, Nagercoil in STC. No.184 of 2016.

For Petitioner : Mr.Suresh Kamar

For Respondent : Mr.C.E.Pradap For R1
Government Advocate
Mrs.Revathy for Intervenor

O R D E R

This petition has been filed to issue a direction to the the first respondent police to execute the pending NBW's against the A7 (second respondent herein) and produce them before the learned Judicial Magistrate-II, Nagercoil in STC. No.184 of 2016.

2. The case of the prosecution is that the petitioner is a defacto complainant and he filed a private complaint in STC. No.184 of 2016 on the file of the learned Judicial Magistrate-II, Nagercoil against the accused 1 to 7 for the offences under Section 34 read with 502 IPC, in which, the second respondent has not appeared before the trial Court during trial. Hence, the trial Court issued Non-Bailable Warrant (NBW) against the second respondent. Till date, the first respondent police has not taken any steps to secure the custody of the accused and the NBW is still pending. Hence, the petitioner has filed the present petition before this Court.



3. The learned counsel appearing for the petitioner submitted that the case is pending from the year 2016 and the respondent police has not taken any steps to secure the custody of the accused.

4. The learned Government Advocate (Crl. side) seeks six weeks time to comply with the order of the trial Court.

5. Heard both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case, there shall be a direction to the first respondent to comply with the order passed by the learned Judicial Magistrate-II, Nagercoil, within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rli

To

1. The Inspector of Police,
Triplicane Police Station,
Chennai.

2. The Judicial Magistrate-II, Nagercoil.

3. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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CT/12/10/2021