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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:06.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.22226 OF 2021

Shagin Taj

... Petitioner/
Defacto Complainant

Vs.

The State rep by
The Sub-Inspector of Police,
Kaveripattinam Police Station,
Krishnagiri District.
Cr.No.470/2019

...Respondent/
Complainant

Prayer:

Criminal Original Petition filed under Section 482 Cr.P.C.,
to direct the respondent to execute forthwith the Non-Bailable
warrant issued on 06.09.2021 against accused in C.C.No.253 of
2020 on the file of the learned Judicial Magistrate-I,
Krishnagiri.

For Petitioner : Mr.G.Magesh Kumar
For Respondent : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed to direct the
respondent to execute forthwith the Non-Bailable warrant issued
on 06.09.2021 against the accused in C.C.No.253 of 2020 on the
file of the learned Judicial Magistrate-I, Krishnagiri.

2.The grievance of the petitioner/defacto complainant is
that on his complaint given in Cr.No.497 of 2019, on completion
of the investigation, a charge sheet was filed in C.C.No.253 of



2020, which is pending trial before the learned Judicial Magistrate-I, Krishnagiri. After, the charge sheet was filed in the year 2020, for the past one year, there is no progress in the investigation. The case has been delayed, by non co-operation of the accused. The case has been adjourned on six occasions. On 06.09.2021, the accused was absent and hence, Non-Bailable warrant was issued on that day. Now, the case is posted on 12.12.2021. The apprehension of the petitioner is that the Non-Bailable warrant could not be executed and the case could be kept in a cold storage.

3.The learned Additional Public Prosecutor submitted that this is the family dispute between the parties, relating to possession and enjoyment of the property from March 2020. Functioning of the lower Courts has been stalled due to Covid19 pandemic and now, only the Courts have been functioning normally. Steps have been taken by the respondent police to execute the Non-Bailable Warrant and soon it will be executed. Further, in this case, there are nine witnesses, and only one accused. The trial will be completed within stipulated period.

4.Recording the same, this Court directs the trial Court to complete the trial preferably within a period of six months from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsn

To

1.The Judicial Magistrate-I,
Krishnagiri.

2.Do-thro The Chief Judicial Magistrate,
Krishnagiri.



3.The Sub-Inspector of Police,
Kaveripattinam Police Station,
Krishnagiri District.

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4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.G.Magesh Kumar, Advocate, S.R.No.65067

Cr1.O.P.No. 22226 of 2021

SRA (CO)
PM/10/01/2022