



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :20.09.2021

CORAM

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Crl.O.P(MD)No.13870 of 2021

Ulagasundaram

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai,
Sivagangai District.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.

3.The Inspector of Police,
Manamadurai Police Station,
Manamadurai,
Sivagangai District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the respondents 1 to 3 to execute the warrant issued by the Additional District Munsif Court Cum Judicial Magistrate Court, Manamadurai in P.R.C.No.75 of 2015 dated 25.09.2018 based on the representation dated 03.08.2021 within the time stipulated by this Court.

For Petitioner : Mr.V.Selvakumar
for Mr.P.Ragupathi

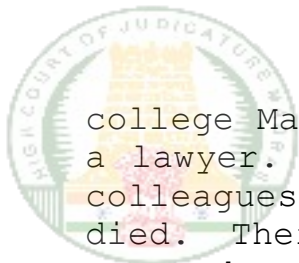
For Respondents : Mr.K.Sanjai Gandhi
Government Advocate(Crl. Side)

ORDER

This petition has been filed seeking direction to the respondents 1 to 3 to execute the warrant issued by the Additional District Munsif Court Cum Judicial Magistrate Court, Manamadurai in P.R.C.No.75 of 2015 dated 25.09.2018 based on the representation dated 03.08.2021 within the time stipulated by this Court.

2.The case of the prosecution is that the petitioner's son namely Ramnath completed a law degree in the Government law

<https://hcservices.courts.gov.in/hcservices/>



college Madurai and continued his practice at Manamadurai Court as a lawyer. On 07.08.2015, the petitioner's son was attacked by his colleagues and he sustained greivous injuries and thereafter, he died. Therefore, the petitioner gave a complaint against the accused persons. On receipt of the complaint, the third respondent police registered the case in Crime No.446 of 2015 for the offence under Section 302 of IPC. After completing the investigation, the third respondent police filed a final report before the learned Additional District Munsiff Court Cum Judicial Magistrate Court, Manamadurai.

3.The learned Additional District Munsif Court Cum Judicial Magistrate Court, Manamadurai has taken the case on file in P.R.C.No.75 of 2015 and issued notice to the accused but, the third respondent was unable to serve the notice to the accused. On 25.09.2018, Non Bailable Warrant was issued against the accused person and after that no step was taken by the third respondent police for securing the accused, for which, the petitioner gave a representation to the respondents 1 to 3 to execute the warrant. Till date, no action was taken for executing the warrant. Hence, the present petition is filed.

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

5.In view of the above submissions, this Criminal Original Petition is allowed with a direction to the third respondent to execute the warrant issued by the learned Additional District Munsif Court Cum Judicial Magistrate Court, Manamadurai, within a period of three months from the date of receipt of copy of this order. Compliance report shall be sent to the Registry, since the crime number is of the year 2015

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tta

Note:(i) 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 Additional District Munsif Cum Judicial Magistrate,
Manamadurai
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai,
Sivagangai District.
- 3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.
- 4.The Inspector of Police,
Manamadurai Police Station,
Manamadurai,
Sivagangai District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to

The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.

Crl.O.P(MD)No.13870 of 2021
20.09.2021

RK (28/10/2021) 3P 7C