



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.9868 of 2022

S.Kavitha
W/o.S.Vijayakumar

...Petitioner

Vs

1. S.Vijayakumar,
S/o.Selvaraj Samikannu

2. S.Senbagavalli,
W/o.S.Vijaya Kumar

3. S.Selvaraj Gounder,
S/o.Samikannu Gounder

4. Kalaimani,
W/o.S.Selvaraj Gounder

5. R.Shanmugam Gounder,
S/o.Rangasamy Gounder

6. Amsavalli,
W/o.R.Shanmugam Gounder

7. The Inspector of Police,
Kandachipuram Police Station,
Villupuram District.

(7th Respondent suo motu impleaded
by this Court vide order dated 28.04.2022
in Crl.O.P.No.9868 of 2022)

...Respondents

Prayer: Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, pleaded to direct the Court of Judicial Magistrate, Additional Mahila Court, Vellore to expedite the trial proceedings and dispose the case in C.C.No.581 of 2021 within the stipulated time.

For Petitioner : Mr.N.S.Sivakumar

ORDER

This Criminal Original Petition has been filed seeking to direct the Court of Judicial Magistrate, Additional Mahila



Court, Vellore to expedite the trial proceedings and dispose the case in C.C.No.581 of 2021 within the stipulated time.

2.The learned counsel for the petitioner would submit that the petitioner has filed a complaint against the respondents No.1 to 6 in C.C.No.581 of 2021 on the file of the learned Judicial Magistrate, Additional Mahila Court, Vellore for the offence punishable under Section 494 read with Section 109 of IPC.

3.The learned counsel for the petitioner would further submit that the court had issued summons to the petitioner on 23.09.2021. Since the accused evaded to receive the summons, the Trial Court by an order dated 22.10.2021 had issued non-bailable warrant of arrest against the respondents/accused. Subsequently, the other accused excepting R3 and R4 had appeared before the Court and they have recalled the warrant. He would further submit that the non-bailable warrant is still pending as against R3 and R4 and they are deliberately avoiding to appear before the Court.Despite the Court having directed the Inspector of Police, Kandachipuram Police Station, Villupuram District to execute the non-bailable warrant against R3 and R4, the Inspector of Police, Kandachipuram Police Station, Villupuram District has not taken any steps to execute the warrant.

4.The learned counsel for the petitioner would fairly concede that it would be suffice, a direction is issued to the Inspector of Police, Kandachipuram Police Station, Villupuram District, to execute the non-bailable warrant dated 22.10.2021 issued by the learned Judicial Magistrate, Additional Mahila Court, Vellore in C.C.No.581 of 2021. The Inspector of Police, Kandachipuram Police Station, Villupuram District is suo moto impleaded as a seventh respondent in this case.

5.The Inspector of Police, Kandachipuram Police Station, Villupuram District, seventh respondent herein is directed to execute the warrant issued by the learned Judicial Magistrate, Additional Mahila Court, Vellore in C.C.No.581 of 2021 within a period of four weeks from the date of receipt of a copy of this order.

6.The criminal original petition is disposed of with the above direction and observation.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

rgm/arb



1. The Judicial Magistrate,
Additional Mahila Court, Vellore District.

3. The Public Prosecutor,
High Court of Madras.

Cr1.O.P.No.9868 of 2022

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