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Crl.O.P.Nos.30903 & 30932 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2022

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THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.Nos.30903 & 30932 of 2022

A.V.Balamurugan

... Petitioner in both Crl.O.P.Nos.

Vs.

1. The Inspector of Police,
M4, Thudiyalur Police Station,
Mettupalayam Road.
Thudiyalur,
Coimbatore - 641 034.

2. N.Muralidharan

... Respondents in Crl.O.P.No.30903 of 2022

1. The Inspector of Police,
M4, Thudiyalur Police Station,
Mettupalayam Road.
Thudiyalur,
Coimbatore - 641 034.

2. N.Padmavathy

... Respondents in Crl.O.P.No.30932 of 2022

PRAYER in Crl.O.P.No.30903 of 2022 : Criminal Original Petition filed under Section 482 of Cr.P.C., pleased to grant an order issuing a direction to the first respondent to execute the bailable warrant on 03.12.2018 against the second



Crl.O.P.Nos.30903 & 30932 of 2022

respondent in C.C.No.9361 of 2017 on the file of the learned Metropolitan Magistrate, FTC II, Egmore, Chennai and produce the second respondent on 31.01.2023 before the learned Metropolitan Magistrate, FTC II, Egmore, Chennai.

PRAYER in Crl.O.P.No.30932 of 2022 : Criminal Original Petition filed under Section 482 of Cr.P.C., pleaded to grant an order issuing a direction to the first respondent to execute theailable warrant on 03.12.2018 against the second respondent in C.C.No.9362 of 2017 on the file of the learned Metropolitan Magistrate, FTC II, Egmore, Chennai and produce the second respondent on 31.01.2023 before the learned Metropolitan Magistrate, FTC II, Egmore, Chennai.

In both petitions,

For Petitioner : A.Ashwinkumar

For R1 : Mr.S.Santhosh
Government Advocate(Crl.side)

COMMON ORDER

These Criminal Original Petitions have been filed seeking to direct the first respondent to execute theailable warrants issued by the learned Metropolitan Magistrate, FTC II, Egmore, Chennai, in C.C.Nos.9361 & 9362 of 2017, on 03.12.2018, as against the second respondents (in both petitions) and to produce them before the learned Magistrate on 31.01.2023.



Crl.O.P.Nos.30903 & 30932 of 2022

2. Learned counsel for the petitioner submitted that both the cases were instituted under Section 138 of Negotiable Instruments Act. The trial has been completed and the matters are pending for questioning the accused under Section 313 Cr.P.C. The accused were absent and the petitions filed for condoning the absence of the accused were dismissed and theailable warrants were issued against the accused.

3. Considered the submissions and the scope of this petition. This court on considering the fact that theailable warrants were ordered in the year 2018, directs the first respondent to execute the warrants pending as against the petitioners immediately, preferably within a period of two weeks from the date of receipt of a copy of this order and act in accordance with law.

4. With the above observations and direction, these Criminal Original Petitions stand disposed of.

15.12.2022

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3/4



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Crl.O.P.Nos.30903 & 30932 of 2022

G.CHANDRASEKHARAN,J.

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To

1. The Metropolitan Magistrate, FTC II,
Egmore, Chennai.
2. The Inspector of Police,
M4, Thudiyalur Police Station,
Mettupalayam Road.
Thudiyalur,
Coimbatore - 641 034.
3. The Public Prosecutor,
Madras High Court.

Crl.O.P.Nos.30903 & 30932 of 2022

15.12.2022

4/4