



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.4561 of 2020

M.Thiru Nagalingam

... Petitioner

Vs.

1.The Superintendent of Police,
Thiruvannamalai District.

2.The State represented by
The Inspector of Police,
Vanthavasi Police Station,
Thiruvannamalai District.

3.Shanmugam

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the second respondent herein to execute the non-bailable warrant against the third respondent issued by the learned Judicial Magistrate Court, Melur in S.T.C.No.297 of 2016 dated 28.09.2016.

For Petitioner : Mr.C.S.Ravichandran

For Respondents : Mr.R.M.Anbunithi

Additional Public Prosecutor (Crl.side)
for R.1 & R.2

ORDER

This Petition has been filed seeking a direction to direct the second respondent herein to execute the non-bailable warrant against the third respondent issued by the learned Judicial Magistrate Court, Melur in S.T.C.No.297 of 2016 dated 28.09.2016.

2. The petitioner has lodged a complaint for the offence under Section 138 of Negotiable and Instruments Act as against the third respondent in S.T.C.No.297 of 2016. On receipt of the summons issued by the learned Judicial Magistrate, Melur, the third respondent has failed to appear before the learned Judicial Magistrate Court, Melur. Therefore, the learned Judicial Magistrate has issued non-bailable warrant against the third respondent on 28.09.2016. For executing the said non-bailable warrant forwarded the same to the second respondent. However, the second respondent has failed to execute the said non-bailable warrant issued against the third respondent and kept it pending



3. Therefore, the second respondent is directed to execute the non-bailable warrant which was issued against the third respondent, dated 28.09.2016 in S.T.C.No.297 of 2016, within a period of eight weeks, from the date of receipt of copy of this order.

4. It is made clear that the petitioner is directed to furnish the correct address to the third respondent and cooperate with the second respondent for execution of non-bailable warrant against the third respondent in S.T.C.No.297 of 2016.

5. With these observation, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CRL.)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mga

Note: 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 Judicial Magistrate, Melur.
- 2.The Superintendent of Police,
Thiruvannamalai District.
- 3.The Inspector of Police,
Vanthavasi Police Station,
Thiruvannamalai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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CM(CO)

SP(26-02-2022)-2P 5C
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