



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.4920 of 2021

WEB COPY

M/s.Meenatchi Chemicals Private Limited,
Proprietor, K.Jeeva ... Petitioner

Vs.

1.The Commissioner of Police,
Commissioner Office,
Madurai.

2.The Inspector of Police,
Anna Nagar Police Station,
Madurai.

3.I.K.Ramasubramanian ... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent police to secure the accused/convict in the light of the Judgment of the learned Additional Sessions Court No.VI, Madurai in C.A.No.59 of 2019 confirming the Judgment of conviction and sentence of imprisonment for six months by the learned Judicial Magistrate No.2, F.T.C, Magisterial Level, Madurai in S.T.C.No.24 of 2016 within the time frame fixed by this Court.

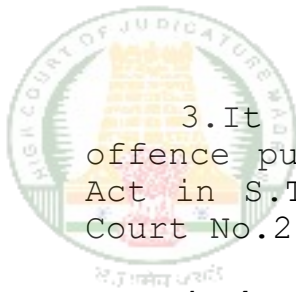
For Petitioner : Mr.Niranjana S.Kumar

For RR 1 & 2 : Mr.B.Thanga Aravindh
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking a direction to direct the respondent police to secure the accused/convict in the light of the Judgment of the learned Additional Sessions Court No.VI, Madurai in C.A.No.59 of 2019 confirming the Judgment of conviction and sentence of imprisonment for six months by the learned Judicial Magistrate No.2, F.T.C, Magisterial Level, Madurai in S.T.C.No.24 of 2016 within the time frame fixed by this Court.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2.



3.It is seen that the petitioner lodged a complaint for the offence punishable under Section 138 of the Negotiable Instruments Act in S.T.C.No.24 of 2016 on the file of the Judicial Magistrate Court No.2, F.T.C, Magisterial Level, Madurai.

4.The trial Court convicted the third respondent in S.T.C.No.24 of 2016 on the file of the Judicial Magistrate Court No.2, F.T.C, Magisterial Level, Madurai, for the offence punishable under Section 138 of the Negotiable Instruments Act and sentenced him to undergo simple imprisonment and to pay a sum of Rs.81,50,000/- as compensation to the petitioner. Aggrieved by the same, the third respondent filed Crl.A.No.59 of 2019 on the file of the learned Additional Sessions Court No.6, Madurai and the same was also dismissed and confirmed the conviction and sentence of the trial Court.

5.Considering the above, the petitioner is directed to approach the trial Court for issuance of NBW as against the third respondent and on issuance of NBW, the second respondent is directed to execute the same within a period of four weeks from the date of issuance of non-bailable warrant against the third respondent in pursuant to the conviction and sentence confirmed by the Appellate Court. The petitioner is directed to furnish the correct address of the third respondent and co-operate with the second respondent to execute the Non-Bailable Warrant against the third respondent.

6.With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ps

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 Additional Sessions Judge No.VI,
Madurai.

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



2.The Judicial Magistrate No.2,
F.T.C, Magisterial Level, Madurai.

3.The Commissioner of Police,
Commissioner Office,
Madurai.

4.The Inspector of Police,
Anna Nagar Police Station,
Madurai.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.NIRANJAN S KUMAR, Advocate (SR-10114[F] dated
04/03/2022)

CrI.O.P(MD)No.4920 of 2021
03.03.2022

RD(21.03.2022) 3P 7C