



Crl.O.P.(MD)No.12954 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2022

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P(MD)No.12954 of 2022

Kaliamoorthy

... Petitioner

Vs.

The State,
Represented by,
The Inspector of Police,
Kumbakonam East Police Station,
Kumbakonam,
Thanjavur District.

...Respondent

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., directing the respondent Police to execute the Non-Bailable Warrant issued by the learned Judicial Magistrate No.I, Kumbakonam in S.T.C.No.2360 of 2019 by order dated 22.09.2021 within the time frame as may be fixed by this Court.

For Petitioner : Mr.C.Hitesh Kumar

For Respondent : Mr.R.Suresh Kumar,
Government Advocate (Criminal Side).



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ORDER

This Criminal Original Petition has been filed to direct the respondent Police to execute the Non-Bailable Warrant issued by the learned Judicial Magistrate No.I, Kumbakonam in S.T.C.No.2360 of 2019 by order dated 22.09.2021.

2. The facts of the case are that a complaint was lodged by the petitioner against one person namely, Vivek with regard to borrow of money. The complaint was registered and it was taken on file by the Judicial Magistrate Court, Kumbakonam in S.T.C.No.2360 of 2019. The Trial Court by its judgement dated 22.09.2021 convicted the said accused, namely, Vivek with a simple imprisonment of six months and also directed him to pay a sum of Rs.2,06,000/- (Rupees Two Lakhs Six Thousand only) as compensation to the petitioner within two months from the date of judgment and in default to undergo further three months of simple imprisonment.



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3. The learned counsel for the petitioner submitted that till date, the accused failed to prefer an appeal and also failed to pay the compensation amount to the petitioner. In this regard, the petitioner filed a Process Memo before the Trial Court and the Trial Court was pleased to issue Non-Bailable Warrant against the accused and it was forwarded to the respondent Police on 10.03.2022. Thereafter, till date, the respondent Police have not executed the warrant issued by the Trial Court. Having no other way, the petitioner preferred a detailed representation dated 01.04.2022 to the respondent Police. Since no action was taken, the present Criminal Original Petition has been filed.

4. The learned Government Advocate (Criminal Side), appearing for the respondent Police submitted that the respondent Police seeks one month time to execute the warrant issued by the Trial Court.

5. Recording the same, this Court grants one (1) month time to the respondent Police to execute the non-bailable warrant in S.T.C.No.2360 of 2019, issued by the learned Judicial Magistrate No.I, Kumbakonam.



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WEB COPY 6. In view of the above, the Criminal Original Petition is disposed of.

19.07.2022

Index : Yes / No
Internet : Yes/ No
Nsr

To

- 1.The Inspector of Police,
Kumbakonam East Police Station,
Kumbakonam,
Thanjavur District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

Nsr

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