



CrI.O.P.(MD) No.12943 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

CrI.O.P.(MD) No.12943 of 2022

Kaliamoorthi

... Petitioner

Vs.

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

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondent Police to execute the non-bailable warrant issued by the learned Judicial Magistrate No.1, Kumbakonam in S.T.C.No.2501 of 2019 by order dated 08.09.2021, 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

The Criminal Original Petition has been filed to direct the respondent Police to execute the non-bailable warrant issued by the learned Judicial Magistrate No.1, Kumbakonam in S.T.C.No.2501 of 2019 by order dated 08.09.2021.

2. The case of the prosecution is that one Malini borrowed a sum of Rs.3,00,000/- from the petitioner and failed to repay it. Hence the complaint was lodged against the said Malini by the petitioner. The Trial Court vide its judgment dated 08.09.2021 convicted the accused Malini with a simple imprisonment of six months and also directed to pay a sum of Rs.3,00,000/- within a period of two months from the date of judgment to the petitioner and in default to undergo further three months of simple imprisonment. Till date, the accused neither paid the amount nor filed any appeal. Hence, the Trial Court issued non-bailable warrant against the said accused. But, till date, the respondent Police have not executed the warrant issued by the Trial Court. In this regard, the petitioner sent a detailed representation dated 01.04.2022. Since no action was taken, the present Criminal Original Petition has been filed.



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3. When the matter is taken up for hearing, the learned Government Advocate (Criminal Side) appearing for the respondent submitted that the respondent Police executed the warrant against the accused in S.T.C.No.2501 and the accused was arrested on 17.07.2022 and remanded to judicial custody and now she is in Central Prison, Trichy.

4. Recording the same, this Criminal Original Petition is closed.

19.07.2022

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
Nsr

To

1. The Inspector of Police,
Kumbakonam West Police Station,
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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