



CrI.O.P.(MD)No.18935 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.11.2022

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CrI.O.P.(MD)No.18935 of 2022

C.R.Suganya

...Petitioner

Vs.

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

2. The Inspector of Police,
Vilakkuthoon Police Station,
Madurai City.

3. Kamalraj

...Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the Respondents 1 and 2 to execute the Non Bailable Warrant issued by the learned Judicial Magistrate, Paramakudi, Ramanathapuram District, against the third Respondent in Cr.M.P. No.2255 of 2022, dated 23.08.2022 on the basis of the Petitioner's representation dated 13.09.2022.

For Petitioner : Mr. Sathish Kumar.K

For R1 and R2 : Mr. T.Senthil Kumar
Additional Public Prosecutor



Crl.O.P.(MD)No.18935 of 2022

ORDER

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This Criminal Original Petition had been filed to Direct the Respondents 1 and 2 to execute the Non Bailable Warrant issued by the learned Judicial Magistrate, Paramakudi, Ramanathapuram District, against the third Respondent in Cr.M.P. No.2255 of 2022, dated 23.08.2022 on the basis of the Petitioner's representation dated 13.09.2022.

2. The learned Additional Public Prosecutor submitted that as Per Rule 31(7) of Criminal Rules of Practice, 2019, the Respondents 1 and 2 may be directed to follow the guidelines. It reads as follows:

(7) An Officer to whom a warrant of arrest is directed, shall send a report to the Court every thirty days beginning from the date of receipt of the warrant until it is executed, detailing the steps taken for executing the same. Every warrant of arrest shall bear the following Post Script. "A report detailing the steps taken to execute the warrant should be sent every thirty days until executed." If the warrant is not executed within a period of ninety days from the date of its issue, the Court may direct a superior officer to execute the said warrant.



Crl.O.P.(MD)No.18935 of 2022

WEB COPY

3. In the light of the submission of the learned Additional Public Prosecutor, the learned Judicial Magistrate, Paramakudi, is directed to execute the Warrant of arrest through the Station House Officer of the Police Station concerned and to seek a report for 30 days regarding the steps taken by the Station House Officer of the Police Station concerned. On failure of the same, the learned Judicial Magistrate, Paramakudi, shall address the higher official of the Station House Officer regarding inaction of the Station House Officer of the Police Station concerned and for appropriate action against him/her.

4. With the above directions, this petition is disposed of.

17.11.2022

Index : Yes/No

Internet: Yes/No

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To

1. The Commissioner of Police,
Madurai City, Madurai.
2. The Inspector of Police,
Vilakkuthoon Police Station,
Madurai City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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Crl.O.P.(MD)No.18935 of 2022

SATHI KUMAR SUKUMARA KURUP, J.,

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Crl.O.P.(MD)No.18935 of 2022

17.11.2022