



CrI.O.P.No.8710 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.8710 of 2023

Kuppusamy

... Petitioner

Vs.

1.The Inspector of Police,
Harur Police Station,
Dharmapuri District.

2.Perumal

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to directing the 1st respondent herein to execute the Non-Bailable Warrant dated 17.02.2023 issued by the learned Judicial Magistrate Court, Harur, Dharmapuri District, pursuant to the judgment of conviction dated 17.02.2023 rendered in S.T.C.No.172 of 2013.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.S.Santhosh (For R1)

Government Advocate (CrI. Side)



Crl.O.P.No.8710 of 2023

WEB COPY

ORDER

This Criminal Original Petition has been filed to direct the 1st respondent herein to execute the Non-Bailable Warrant dated 17.02.2023 issued by the learned Judicial Magistrate Court, Harur, Dharmapuri District, pursuant to the judgment of conviction dated 17.02.2023 rendered in S.T.C.No.172 of 2013.

2.The learned counsel for the petitioner submitted that petitioner filed a case under Section 138 of Negotiable Instruments Act, against the second respondent in S.T.C.No.172 of 2013 on the file of learned Judicial Magistrate, Harur, Dharmapuri District. This case ended in conviction and sentencing the second respondent. The second respondent was sentenced to undergo two years simple imprisonment with fine and compensation. It is further submitted by the learned counsel for the petitioner that since the second respondent was not present on the date of pronouncement of judgment, the learned Judicial Magistrate, Harur, Dharmapuri District, ordered issuance of Non-Bailable Warrant. Accordingly, NBW was issued against the second respondent. However, NBW is not executed by the first respondent, therefore this petition.



CrI.O.P.No.8710 of 2023

WEB COPY

3. In the light of the submission of learned counsel for the petitioner, this Court directs the first respondent to execute the Non-Bailable Warrant dated 17.02.2023, against the second respondent within a period of one month from the date of receipt of copy of this order and produce the second respondent before the learned Judicial Magistrate, Harur, Dharmapuri District, for effective necessary action.

4. With the above direction and observation, this Criminal Original Petition is disposed.

21.04.2023

ep
Index: Yes/No
Speaking/Non speaking order

To

1. The Inspector of Police,
Harur Police Station,
Dharmapuri District.

2. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.8710 of 2023

G.CHANDRASEKHARAN.J.,

ep

Crl.O.P.No.8710 of 2023



WEB COPY



Crl.O.P.No.8710 of 2023

21.04.2023