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CrI.O.P.No.19382 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.19382 of 2023

E.Jayapal

...

Petitioner

/vs/

1.S.Parthasarathy

2.The Inspector of Police,
T1 Ambattur Police Station,
Ambattur, Chennai – 600 053.

...

Respondents

PRAYER : The Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the 2nd respondent to execute the conviction warrant dated 06.06.2023 issued against the accused in S.T.C.No.367 of 2016 on the file of the Judicial Magistrate Court, Fast Track Court (Magistrate level) at Ambattur.

For Petitioner

...

Mr.Pari Gopal

For Respondent
No.2

...

Mr.Leonard Arul Joseph Selvam
Additional Public Prosecutor



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ORDER

Alleging that despite conviction warrant issued by the Court on 06.06.2023, the respondent police not able to secure the accused at present, the criminal original petition is filed.

2.The learned Government Advocate (Crl.side) appearing for the second respondent states that enquiry with the family members of the accused reveals that he has left the home six months ago and his whereabouts is not known.

3.From the records, this Court finds that on the date of judgment, the trial Court had suspended the sentence exercising the power under Section 389(3) of Cr.P.C. The appellate Court has confirmed the judgment of conviction and sentenced passed by the trial Court in S.T.No.367 of 2016 vide order dated 16.08.2022 in Crl.A.No.25 of 2018.



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4. Under the said circumstances, the conviction warrant been issued by the Fast Track Court, (Magisterial Level), Ambattur and the trial Court shall also verify whether there is any breach of bail bond and take necessary action besides ensuring the execution of the conviction warrant.

With this observation, the criminal original petition is disposed of.

Index : Yes/No

18.12.2023

Internet : Yes/No

sms

To

1. The Inspector of Police,
T1 Ambattur Police Station,
Ambattur, Chennai – 600 053.

2. The Public Prosecutor,
High Court, Madras.



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Dr.G.JAYACHANDRAN,J.

sms

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