



WEB COPY



Crl.OP.No.31875 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.31875 of 2022 and
Crl.M.P.No.303 of 2023

C.Dhamodharan .. Petitioner

VS

1. S.Gnanasekar

2.The Inspector of Police
S5 Police Station

Pallavaram, Chennai – 600 043. .. Respondents

PRAYER : This Criminal Original Petition is filed under Section 482 of Cr.P.C., to issue necessary direction to the learned Judicial Magistrate Court, Tambaram, to execute the non bailable warrant issued against the accused in STC.No.3534 of 2017 on 11.02.2020.

For Petitioner : Mr.J.Manikandan
For Respondents : Mr.S.Santhosh
Government Advocate (Crl side)



Crl.OP.No.31875 of 2022

WEB COPY

ORDER

This Criminal Original Petition has been filed to issue necessary direction to the learned Judicial Magistrate Court, Tambaram, to execute the non bailable warrant issued against the accused in STC.No.3534 of 2017 on 11.02.2020.

2.The case filed under Section 138 and 142 of the Negotiable Instruments Act, 1881, as amended by Act of 2002 and under Section 200 Cr.P.C. is pending from 2017 in S.T.C.No.3534 of 2017. There was no progress in the case for the reason that NBW is pending against the first respondent/accused for more than four years.

3.The learned Government Advocate (Criminal side) submitted that NBW alleged to have issued against the first respondent is not available with the respondent Police. If the petitioner takes steps for issuing fresh NBW, that would be executed as early as possible.

4.Recording the submission of learned Government Advocate (Criminal side), this Court directs the petitioner to take steps for issuance of fresh NBW



Crl.OP.No.31875 of 2022

against the first respondent/accused. On the receipt of fresh NBW, the second respondent is directed to execute the NBW within a period of four weeks from the date of receipt of fresh NBW and proceed further in accordance with law.

5. With the above direction, this Criminal Original Petition is disposed. Consequently, connected miscellaneous petition stands closed.

09.01.2023

Index : Yes / No
Speaking / Non Speaking order
ep

To

1. The Inspector of Police
S5 Police Station
Pallavaram, Chennai – 600 043.
2. The Judicial Magistrate Court, Tambaram.
3. The Public Prosecutor
High Court, Madras.



WEB COPY



Crl.OP.No.31875 of 2022

G.CHANDRASEKHARAN,J.

ep

Crl.O.P.No.31875 of 2022
and
Crl.M.P.No.303 of 2023

09.01.2023