



Crl.O.P.(MD)No.2101 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.02.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.2101 of 2023

Bastin Jayakumar @ Vestin Jayakumar

... Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District
at Nagercoil.

2.The Inspector of Police,
Karungal Police Station,
Kanyakumari District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the respondents to execute the Non Bailable Warrant issued by the learned First Class Judicial Magistrate No.I, Changanacherry by considering the petitioner's representation dated 05.12.2022 and 06.01.2023.

For Petitioner : Mr.R.Rajesh

For Respondents : Mr.R.Sivakumar
Government Advocate (Crl. Side)



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ORDER

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This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the respondents to execute the Non Bailable Warrant issued by the learned First Class Judicial Magistrate No.I, Changanacherry by considering the petitioner's representations dated 05.12.2022 and 06.01.2023.

2. The learned counsel appearing for the petitioner would submit that the petitioner has filed a complaint for the offence under Section 138 of Negotiable Instruments Act before the learned First Class Judicial Magistrate No.I, Changanacherry and the case was taken on file in S.T.C.No.1755 of 2021, that since the accused has not turned up, Non-Bailable Warrant was ordered to be issued on 16.06.2022, that the Non-Bailable Warrant was sent to the second respondent for execution and that the petitioner has also given representations dated 05.12.2022 and 06.01.2023 to the respondents, but no action was taken.

3. The learned Government Advocate (Criminal Side) appearing for the respondents would submit that they came to know that the accused is now in Kerala.



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4. At this juncture, the learned counsel appearing for the petitioner would submit that the accused is resident of Kanyakumari District and is doing business in Kerala.

5. Recording the submissions made on either sides, the second respondent is directed to consider the representations of the petitioner dated 05.12.2022 and 06.01.2023 and take necessary further action.

6. With the above direction, this Criminal Original Petition stands disposed of.

02.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

To

- 1.The Superintendent of Police,
Kanyakumari District
at Nagercoil.
- 2.The Inspector of Police,
Karungal Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.2101 of 2023

Dated: 02.02.2023