



CRL.O.P.(MD)No.11447 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.07.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CRL.O.P.(MD)No.11447 of 2023

V.Nandhakumar

... Petitioner

Vs

1.M/s.Zion Agencies,
Represented by its Partner Shri.S.Suthakaran,
Son of Shanmugavel,
B-12, Shastri Road, Thillai Nagar,
Trichy-18.

2.Shri.S.Suthakaran

3.The Inspector of Police,
Thillai Nagar Police Station,
Trichy District.

.. Respondents

(Respondent No.3 is *suo motu* impleaded as per Order of the Court dated 26.06.2023 in Crl.O.P.(MD).No.11447 of 2023)

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, directing the learned Judicial Magistrate No.1, Trichy, to dispose of S.T.C.No.1090 of 2013 on the file of the said Court within a stipulated period may be fixed by this Court.

For Petitioner : Mr.R.Sakthivel

For R-3 : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)



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ORDER

This Criminal Original Petition is filed seeking for a direction to the learned Judicial Magistrate No.1, Trichy to dispose of S.T.C.No.1090 of 2013.

2. Learned counsel for the petitioner submitted that the petitioner has filed a complaint against the respondent under Section 138 of the Negotiable Instruments Act, 1881 read with Section 420 of I.P.C and the same was registered in the year 2013. However, for the last ten years, there is no progress in the case, on account of the fact that, non-bailable warrants are pending against the respondent 2. Since non-bailable warrants are pending against the respondent 2, this Court cannot give any direction to the learned Judicial Magistrate to dispose of the case by fixing specific time.

3. According to the learned counsel for the petitioner, the police are not executed the warrants against respondent No.2 and thereby, delay is being occurred. Learned Government Advocate (Criminal Side) submitted that the Thillainagar Police Station, Trichy District is not having warrants issued by the Court against the second respondent as if the warrants are sent to respondent No.1 Police. They will take all steps to get the warrants executed. The same is



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4. This Criminal Original Petition is, therefore, disposed of, by directing the petitioner to produce non-bailable warrants against the second respondent before the concerned Police, on which, the concerned police is directed to execute the same as expeditiously as possible.

11.07.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
tsg

To

- 1.The Judicial Magistrate No.1, Trichy,
- 2.The Inspector of Police,
Thillai Nagar Police Station,
Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN, J.

tsg

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