



CrI.O.P.(MD) No.12363 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2023

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

CrI.O.P.(MD) No.12363 of 2023

M/S.Anand Kumar Surana and Sons HUF

Kartha, P.Anandkumar,

represented by its Power Agent,

P.Vinodh Kumar Surana

S/o.K.Prakashmal

Sankeswara Tower,

No.22, Ramanan Road, Sowcarpet,

Chennai 600 079.

... Petitioner

Vs.

1.The Superintendent of Police,
Madurai District,
Madurai 7.

2.The Inspector of Police,
Austinpatti Police Station,
Thoppur,
Madurai District.

3.K.Dharmaraja

..Respondents



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PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 2nd respondent to execute the non bailable warrant against the 3rd respondent issued by the learned Fast Track Court No.4, Metropolitan Magistrate Court, George Town, Chennai in CC.No.908 of 2020 within a period stipulated by this Court.

For Petitioner : Mr.M.Mohamed Sherbudeen
For R1 & R2 : Mr.B.Thanga Aravindh
Government Advocate (Crl.side)

ORDER

This petition is filed seeking for a direction to the respondent No.2 police to execute the non bailable warrant issued against the respondent No.3 by the Fast Track Court No.4, Metropolitan Magistrate Court, George Town, Chennai in CC.No.908 of 2020.

2.It is submitted by the learned counsel for the petitioner that the petitioner has filed a complaint in C.C.No.908 of 2020 on the file of the Fast Track Court No.4, Metropolitan Magistrate Courts, George Town, Chennai against the respondent No.3 under Section 138 of Negotiable Instruments Act, 1881, wherein the respondent No.3 failed to appear, on which initially bailable warrant and subsequently non bailable warrant were issued against the respondent No.3. It is



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submitted that the respondent No.3 is residing within the territorial jurisdiction of the respondent No.2 police station. Therefore, the petitioner has sought for a direction to the respondent No.2 police to execute the non bailable warrant.

3.It is submitted by the learned Government Advocate (Crl.side) that on receipt of the warrant for arrest of the respondent No.3, the police party or the respondent No.2 police went to the place, where the respondent No.3 shown to have been residing and they found that the respondent No.3 has left the said address about 3 years ago and his whereabouts is not known. Accordingly, the Village Administrative Officer has given a report. In case if the respondent No.3 is not residing in the address mentioned in the complaint and in case if the report has already not been sent to the concerned Court, the police are directed to sent the report to the concerned Court forthwith, which has issued the warrant.

4.With this direction, this Petition is closed.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

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To

- 1.The Superintendent of Police,
Madurai District,
Madurai 7.
- 2.The Inspector of Police,
Austinpatti Police Station,
Thoppur,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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