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Criminal Original Petition No.3406 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.3406 of 2024

K.Senthilkumar
S/o.Kuppuswamy

...Petitioner

Vs

1.The Commissioner of Police
O/o.The Commissionerate
EVK Sampath Road, Vepery,
Chennai 600 007

2.The Deputy Commissioner of Police
O/o.the Deputy Commissioner of Police,
T.Nagar, Chennai .

3.The Assistant Commissioner of Police
O/o.the Assistant Commissioner of Police
Teynampet, Chennai 600 018.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Respondent police to execute the warrant of arrest issued by the Metropolitan Magistrate Court (FTC-II), Allikulam and to produce the accused before the Court of law, on the basis of order dated 15.02.2023 in C.C.No.1772 of 2021 on the file of the learned



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Metropolitan Magistrate (FTC I), Allikulam and order dated 05.10.2023 in CrI.A.No.185 of 2023 on the file of the VII Additional District and Sessions Court, Chennai and on the basis of the Petitioner's representation dated 18.01.2024 given before the Respondents 1 to 4.

For Petitioner : Mr.M.A.Muthalakan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This Criminal Original petition has been filed for a direction to the respondent police to execute the warrant of arrest issued by the Metropolitan Magistrate (FTC I), Allikulam by producing the accused person and to make him undergo the sentence imposed by the Trial Court in in C.C.No.1772 of 2021 dated 15.02.2023.

2. When the matter was taken up for hearing, the learned Additional Public Prosecutor on instructions submitted that the warrant issued by the learned Magistrate was attempted to be executed. But however, the accused person was not found in the address that was furnished and he had vacated that place long back. In view of the above, the



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respondent police is in the process of ascertaining the whereabouts of the accused person in order to secure the accused person and to produce him before the Court in execution of the warrant issued against him.

3. Taking into consideration the facts and circumstances of the case and the above submissions made by the learned Additional Public Prosecutor, there shall be a direction to the 4th respondent to execute the conviction warrant issued against the accused person and to secure the accused person and produce him before the learned Magistrate in order to serve the sentence imposed against him. This process shall be completed within a period of four weeks from the date of receipt of a copy of this order.

4. This Criminal Original petition is disposed of in the above terms.

19.02.2024

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
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To

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1.The Metropolitan Magistrate Court (FTC-II),
Allikulam

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2.The Metropolitan Magistrate (FTC I),
Allikulam

3.The VII Additional District and Sessions Court,
Chennai

4.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

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