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CrI.O.P.No.28005 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CrI.O.P.No. 28005 of 2024

G.Syed Musthafa

... Petitioner

Vs.

1. State Rep.by
Inspector of Police,
Mettur Police Station,
Salem District.
2. R.K.Banarjee
3. N.T.E.C Engineers (P) Ltd.,
Rep.by its Director,
R.K.Banarjee,
No.22/A1,Dum Dum Road,
Kolkatta.

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 BNSS Act, 2023, to direct the 1st respondent police to execute the non-bailable warrant dated 29.09.2021 issued by the learned Judicial Magistrate No.I, Mettur, in C.C.No.31 of 2019.

For Petitioner : Mr.S.Joel
For Respondents : Mr.S.Sugendran
Additional Public Prosecutor for R1



Crl.O.P.No.28005 of 2024

ORDER

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This Criminal Original Petition is filed to direct the first respondent police to execute the non-bailable warrant dated 29.09.2021 issued by the learned Judicial Magistrate No.I, Mettur, in C.C.No.31 of 2019.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent/Police and perused the materials available on record.

3. It is seen from the records that the petitioner had filed a complaint for dishonour of cheque under Section 138 of Negotiable Instruments Act before the learned Judicial Magistrate No.I, Mettur in C.C.No.31 of 2019 against respondents 2 and 3 herein. Though respondents 2 and 3/accused called absent for several hearings, the learned Magistrate concerned issued non-bailable warrant against the respondents 2 and 3 herein on 29.09.2021 and directed the first respondent-Police to execute the warrant. However, the first respondent-



CrI.O.P.No.28005 of 2024

Police has not taken any steps to execute the warrant, and hence, the present petition is filed.

4. Taking note of the above facts, the first respondent/Police is directed to execute the non-bailable warrant dated 29.09.2021 issued by the learned Judicial Magistrate No.I, Mettur, in C.C.No.31 of 2019, as expeditiously as possible.

5. With the above direction, this Criminal Original Petition is disposed of.

12.11.2024

Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

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To

1. The Judicial Magistrate No.I,
Mettur.
2. The Inspector of Police,
Mettur Police Station,Salem District.
3. The Public Prosecutor,
High Court, Madras.



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CrI.O.P.No.28005 of 2024

P.VELMURUGAN, J

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CrI.O.P.No.28005 of 2024

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