



Crl.O.P(MD)No.3247 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 28.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

Crl.O.P(MD)No.3247 of 2024

Nagasundaram

... Petitioner

Vs

1. B.Subramanian

2. The Inspector of Police,
Vilakkuthoon Police Station,
Madurai City, Madurai.

3. The Inspector of Police,
Vilakkuthoon Police Station,
Madurai City, Madurai.

... Respondents

PRAYER: Criminal Original petitions have been filed under Section 528 of BNSS to direct the respondent to execute the Non Bailable Warrant dt 19.01.2024 issued against the R1 in STC No.33/2022 on the file of Judicial Magistrate Court II Fast Track (Magisterial Level) Madurai within a period that may be stipulated by this Court.

For Petitioner : Mr. M.Ragul

for M/s.Gandhi Associates

For R2 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side)



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ORDER

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This criminal original petition has been filed to execute the Non Bailable Warrant, dated 19.01.2024 issued against the 1st Respondent in STC.No.33 of 2022 on the file of Judicial Magistrate Court No.II, Fast Track (Magisterial Level), Madurai.

2.According to the petitioner, he is the complainant in the main case in STC.No.33 of 2022 on the file of Judicial Magistrate Court No.II, Fast Track (Magisterial Level), Madurai. Due to non-appearance of the 1st respondent the trial Court has issued NBW against the accused. Thereafter, it was not executed by the respondent police. Hence, this petition.

3.The learned Government Advocate (Crl.Side) appearing for the 2nd respondent police would submit that the 1st respondent is residing in Chennai and the date of warrant was on 19.01.2024. Therefore, if any fresh warrant is issued by the learned Magistrate, then they will act as per the direction of the learned Magistrate.



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4.Since the prayer of the petitioner to execute non-bailable warrant and it was pending from 19.01.2024, it is for the learned Magistrate to issue non-bailable warrant for a particular date by directing particular police station to execute the warrant. If any order passed by the learned Magistrate, the 2nd respondent is directed to act in accordance with the direction of the learned Magistrate.

5.With the above observations and directions, this petition stands disposed of.

28.03.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
PNM

To

1. The Judicial Magistrate No.II, Fast Track (Magisterial Level), Madurai

2. The Inspector of Police,
Vilakkuthoon Police Station,
Madurai City, Madurai.

3. The Inspector of Police,
Vilakkuthoon Police Station,
Madurai City, Madurai.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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P. DHANABAL, J.

PNM

ORDER IN
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