



Crl.O.P(MD)No.4669 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

Crl.O.P(MD)No.4669 of 2025

Sabrinathan

... Petitioner

Vs

S. Naveen Kumar

... Respondent

PRAYER: Criminal Original petitions have been filed under Section 528 of BNSS to direct the learned Judicial Magistrate No.II, Fast Track Court, Magistrate Level, Madurai to execute the Bailable Warrant in S.T.C.No.277/2023 dated 27.08.2023 within the time stipulated by this Court.

For Petitioner : Mr.S.Ramsundarvijayraj

ORDER

This Criminal Original Petition has been filed to direct the learned Judicial Magistrate No.II, Fast Track Court, Magistrate Level, Madurai to execute the Bailable Warrant in S.T.C.No.277 of 2023, dated 27.08.2023.



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2. According to the petitioner, the petitioner is the complainant in STC No.277 of 2023 on the file of Judicial Magistrate No.II, Madurai. Due to the absence of the respondent, bailable warrant was issued against him and the same has been pending from 24.08.2023. Thereafter, no steps has been taken by the learned Magistrate to execute the said warrant. Hence, this petition.

3. This Court heard the learned counsel for the petitioner and perused the entire materials.

4. The prayer of the petitioner is to direct the learned Judicial Magistrate No.II, Madurai to execute the bailable warrant issued against the respondent in STC No.277 of 2023. The Magistrate cannot execute bailable/non-bailable warrant and the Magistrate can only issue warrant by directing the police or any other persons to execute the same. In this case, there is no particulars about the jurisdictional police, to whom the Magistrate has directed to execute the bailable warrant issued against the respondent. The said jurisdictional police is not a party to the proceedings. Once bailable warrant issued and the same has not been executed, it is for the Magistrate to issue Non-bailable Warrant against



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the respondent, if he satisfied with reasons.

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5.In view of the above, the prayer of the petitioner cannot be considered. However, it is the for the learned Magistrate to take appropriate steps in this regard, in the manner known to law. With the above observations, this petition stands dismissed.

13.03.2025

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

To

1.The Judicial Magistrate No.II, Madurai



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P. DHANABAL, J.

PNM

ORDER IN
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