



Crl.O.P(MD)No.5262 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

Crl.O.P(MD)No.5262 of 2025

P.Rajarathinam

... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by its,
The Commissioner of Police,
Cantonment,
Tiruchirapalli-620 001.

2.The Inspector of Police,
Vathalai Police Station,
Tiruchirapalli District.

3.S.Kandasamy

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of B.N.S.S., 2023, to direct the first respondent to execute the bailable warrant issued by the Judicial Magistrate No.I, Tiruchirapalli, dated 25.10.2024 in S.T.C.No.194 of 2013.

For Petitioner : Mr.G.S.Asokadhithyan

For R-1 & R-2 : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)



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ORDER

This Criminal Original Petition has been filed to direct the first respondent to execute the bailable warrant issued by the Judicial Magistrate No.I, Tiruchirapalli, dated 25.10.2024 in S.T.C.No.194 of 2013.

2. According to the petitioner, he is the de facto complainant in the case in S.T.C.No.194 of 2013 and the third respondent is the accused. Due to non appearance of the third respondent, the learned Magistrate has issued NBW on 25.10.2024 and thereafter, the case has been periodically adjourned without executing the NBW issued against the third respondent. The second respondent has not taken any steps to execute the NBW pending against the third respondent. Therefore, the petitioner filed this petition.

3. The learned Government Advocate (Crl. Side) appearing for the official respondents would submit that earlier the Trial Court issued NBW against the third respondent and the same was recalled by the Judicial Magistrate No.I, Tiruchirapalli and thereafter, again due to non appearance of the third respondent issued NBW on 25.10.2024. The second respondent also



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taking steps to execute the NBW but the third respondent vacated the address mentioned in the petition and thereby, they unable to secure the accused. However, still they are searching the third respondent and they will execute the warrant within two weeks.

4. Considering the prayer of the petitioner and recording the above said submission of the second respondent, this Court directs the second respondent to execute the pending NBW issued against the third respondent as early as possible without any delay.

5. With the above said observations, this Criminal Original Petition stands disposed of.

24.03.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

1.The Commissioner of Police,
Cantonment,
Tiruchirapalli-620 001.



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2. The Inspector of Police,
Vathalai Police Station,
Tiruchirapalli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

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