



Crl.O.P(MD)No.8085 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

Crl.O.P(MD)No.8085 of 2025

1. Vaseelabanu

2. Minor Fardeen Mohammed
(represented by natural guardian
and mother, first petitioner)

... Petitioners

Vs

1. The State of Tamil Nadu,
Rep by the Inspector of Police,
Vaniyambadi Town Police Station,
Vaniyambadi,
Tirupathur District.

2. M.A.Rafiahamed

... Respondents

PRAYER: Criminal Original petition has been filed under Section 528 of BNSS to direct the first respondent to execute the bailable warrant issued in Cr.M.P.No.6263 of 2021 in DVC No.2 of 2018 on the file of Learned Judicial Magistrate No.1, Tirunelveli within the time stipulated by this court.



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For Petitioner : Mr.S.Pon Senthil Kumaran,

For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking a direction to the first respondent to execute the bailable warrant issued in Cr.M.P.No.6263 of 2021 in DVC No.2 of 2018 on the file of the learned Judicial Magistrate No.1, Tirunelveli.

2.According to the petitioner, based on the complaint lodged by the petitioner before the learned Judicial Magistrate No.1, Tirunelveli, in Cr.M.P.No.6263 of 2021, the trial Court issued bailable warrant against the second respondent. But till now the bailable warrant was not executed. Hence this petition.

3.The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the respondent police have not received any bailable warrant from the trial Court. If any such warrant is



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received, they will take appropriate steps to secure the accused, in accordance with law.

4.Considering the limited scope of the prayer sought for in this petition, this Court, without even issuing notice to the private respondent, is inclined to pass order.

5.Since the first respondent denied the receipt of the bailable warrant issued against the second respondent, it is for the trial Court to issue a fresh bailable warrant by directing the particular police to secure the accused and on such receipt of the bailable warrant, the concerned police have to execute the bailable warrant in accordance with law, without any delay, preferably within a period of one month from the date of receipt of the bailable warrant.

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

30.04.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
LR

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WEB COPY To

- 1.The Judicial Magistrate No.1,
Tirunelveli.
2. The State of Tamil Nadu,
Rep by the Inspector of Police,
Vaniyambadi Town Police Station,
Vaniyambadi,
Tirupathur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P. DHANABAL, J.

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