



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-08-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 14105 of 2026

P.Shankar
S/o.T.Palani,
No.4/1055, Indira Gandhi Cross Street,
Ambedkar Nagar,
Medavakkam,
Chennai-600 100.

..Petitioner(s)

Vs

1. State rep.by,
The Deputy Commissioner of Police,
J-3 Guindy Range,
Adayar,
Chennai-600 020.
2. The Inspector of Police,
(Law and Order),
J-3 Guindy Police Station,
Chennai-600 032.
3. Paul Rathinakumar Earnest
S/o.D.I.Paul,
No.2, Manjulai Second Street,
Kalaimahal Nagar,
Ekkattuthangal,
Chennai-600 032.

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 528 of BNSS, to direct the respondents / Police 1 and 2, to forthwith execute the Non Bailable Warrant issued against the 3rd respondent / accused in CC.No.1650 of 2019 (on the file of the learned Fast Track Court No.III Metropolitan Magistrate Court Saidapet, and to produce him before the trial court within the stipulated time frame and pass such further order or orders as this Honble court.



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For Petitioner(s):

Mr.R.Ganesh Babu

For Respondent(s):

Mr.R.Ganesh Kumar,
Counsel for Government of Tamilnadu
(Crl.Side) for R1 and R2

ORDER

This Criminal Original Petition has been filed seeking a direction to the respondents police 1 and 2 to execute the Non Bailable Warrant issued as against the third respondent herein in C.C.No.1650 of 2019 on the file of the learned Fast Track Court-III Metropolitan Magistrate Court Saidapet for the offence under 138 of Negotiable Instruments Act.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. A perusal of the records revealed that after full pledged trial, the third respondent was convicted for the offence punishable under Section 138 of Negotiable Instruments Act and sentenced him to undergo six months simple imprisonment and also to pay cheque amount as compensation to the complaint, in default to undergo simple imprisonment for one month.

4. Aggrieved by the same, the third respondent has preferred an appeal. In the appeal, while suspending the sentence, the third respondent was directed to



deposit 20% of the compensation amount to the credit of CC.No.1650 of 2019 on the file of the trial court within sixty days from the date of that order, the third respondent challenged the same before this Court. However, this Court has extended the time to deposit 20% of the compensation amount, the same was also not complied with by the accused. The Appellate Court has dismissed the Criminal Appeal for default.

5. It was restored by this Court in Crl.RC.No.485 of 2025 and directed the Appellate Court, to dispose of the case in C.A.No.33 of 2024 on merits and in accordance with law. So far, the sentence of the third respondent was not suspended and as such, the trial Court has issued Non Bailable Warrant as against the third respondent and it is pending on the file of the second respondent.

6. In view of the above observations, the second respondent is directed to execute the Non Bailable Warrant as against the third respondent in C.C.No.1650 of 2019 on the file of the learned Fast Track Court-III Metropolitan Magistrate Court Saidapet, within a period of six weeks from the date of receipt of a copy of this Order. Further, the petitioner is directed to cooperate with the second respondent for executing the Non Bailable Warrant by furnishing correct address of the third respondent.



7. With the above directions, this Criminal Original Petition is disposed
of.

19-08-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Vv

To

1. The Fast Track Court No.III Metropolitan Magistrate Court Saidapet
2. The Deputy Commissioner of Police, J-3 Guindy Range,
Adayar,Chennai-600 020
3. The Inspector of Police, (Law and Order),
J-3 Guindy Police Station, Chennai-600 032.
4. The Public Prosecutor, High Court of Madras,
Chennai.



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CRL OP No. 14105 of 2



G.K.ILANTHIRAIYAN, J.

Vv

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19-08-2026