



CrI.O.P.No.4107 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2025

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.4107 of 2025

S.P.Babu

... Petitioner

Vs

The State of Tamil Nadu rep by its:-

1. The Inspector of Police,
V-1, Villivakkam Police Station,
Chennai.

2. Suganya

3. Perumal Silks,
Door No.20, Villivakkam Road,
Lakshmipuram,
Kulathur,
Chennai.

... Respondents

Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the first respondent to execute the Bailable Warrant issued by the learned District Munsif cum Judicial Magistrate, Aathur issued against the third respondent on 02.11.2022 and the second respondent on 03.11.2022 in C.C.No.43 of 2022.

For Petitioners : Mr.C.Susi Kumar



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For Respondents : Mr.A.Gopinath,
Government Advocate (Crl.Side) for R1

O R D E R

This petition has been filed to direct the first respondent to execute the Bailable Warrant issued by the learned District Munsif cum Judicial Magistrate, Aathur, issued against the second and third respondents in C.C.No.43 of 2022.

2. Heard the learned counsel for both sides and perused the materials available on record.

3. The petitioner is the complainant and the second and third respondents are the accused. The complaint was lodged by the petitioner for the offence punishable under Section 138 of the Negotiable Instruments Act. The same has been taken cognizance of in C.C.No.43 of 2022 on the file of the District Munsif-cum-Judicial Magistrate, Athoor.

4. On a perusal of the records, it reveals that, after receipt of the



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summons, the second and third respondents did not appear before the Trial Court. As such, the Trial Court issued Bailable Warrant as against the second and third respondents and it is pending on the file of the Inspector of Police, Kolathur Police Station, Chennai.

5. In view of the above, the Inspector of Police, Kolathur Police Station, Chennai, is directed to execute the Bailable Warrant issued against the second and third respondents in C.C.No.43 of 2022 within a period of twelve weeks from the date of receipt of a copy of this order. The petitioner is directed to furnish the correct address of the second and third respondents and co-operate while executing the Bailable Warrant.

6. With the above observations, this Criminal Original Petition is allowed.

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Index:Yes/No
Neutral Citation/Yes/No
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1. The Inspector of Police,
V-1, Villivakkam Police Station,
Chennai.
2. The District Munsif cum Judicial Magistrate, Aathur



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G.K.ILANTHIRAIYAN, J.

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