



Crl.O.P.No.8161 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2025

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

**Crl.O.P.No.8161 of 2023**

M/S.Shah Trading Corporation  
Rep By Its Partner/Manager,  
Mr.Nithin P Shah,  
Robertson Road,  
1<sup>st</sup> Street, R.S.Puram,  
Coimbatore-641 002.

.... Petitioner

Vs

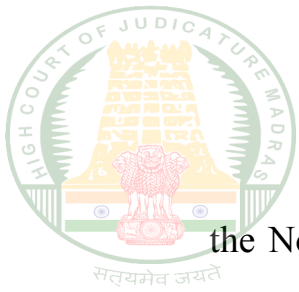
1.The Commissioner of Police,  
Greater Chennai,  
138, E.V.K.Sampath Salai,  
Vepery,  
Chennai-600 007.

2. The Inspector of Police,  
Nolambur Police Station,  
Chennai District.

3. Ajay  
Proprietor of  
Shri Surya Polimers,  
No.615, 1<sup>st</sup> Block,  
Mugappair West, Chennai-600 037.

..... Respondents

**Prayer:** Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondent 1 and 2 police to execute



Crl.O.P.No.8161 of 2023

the Non Bailable Warrant dated 11.03.2019 in D.No.119/2018 issued in C.C.No.490 of 2015 dated 05.10.2018 on the file of the Judicial Magistrate, Fast Track Court No.1 @ ML, Coimbatore, against the 3<sup>rd</sup> respondent herein.

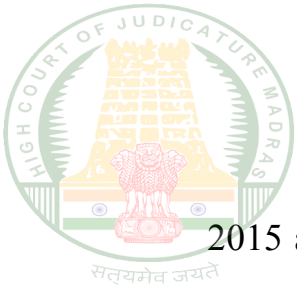
For Petitioner : Mr.S.Sriram  
For R1 & R2 : MR.R.Vinothraja  
Government Advocate (Crl.Side)

### **ORDER**

This Criminal Original Petition has been filed seeking execution of the non-bailable warrant dated 05.10.2018 issued as against the third respondent in C.C.No.490 of 2015 on the file of the Judicial Magistrate, Fast Track Court No.1 at Magisterial Level, Coimbatore.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondents 1 & 2. Perused the materials available on record.

3. The petitioner is the complainant and the third respondent is the accused in the complaint lodged by the petitioner for the offence under Section 138 of the Negotiable Instruments Act. After a full-fledged trial, the Trial Court convicted the accused in C.C.No.490 of



Crl.O.P.No.8161 of 2023

2015 and sentenced him to undergo simple imprisonment for a period of

six months and also awarded compensation and in default of payment,

directed the accused to undergo two months simple imprisonment.

Thereafter, the third respondent did not comply with the order and failed

to surrender. The third respondent also did not file any appeal as against

the conviction order passed by the Trial Court. Therefore, the Trial Court

issued a non-bailable warrant, which is still pending execution.

4. In view of the above, the second respondent is directed to execute the non-bailable warrant issued as against the third respondent within a period of twelve weeks from the date of receipt of a copy of this order. The petitioner is also permitted to co-operate while executing the non-bailable warrant as against the third respondent by furnishing the correct address of the third respondent.

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

05.02.2025

Lpp

Index: Yes/No

Internet: Yes/No



WEB COPY



Crl.O.P.No.8161 of 2023

**G.K.ILANTHIRAIYAN,J.**

Lpp

To

1. The Judicial Magistrate,  
Fast Track Court No.1 at Magisterial Level,  
Coimbatore.

2.The Commissioner of Police,  
Greater Chennai,  
138, E.V.K.Sampath Salai,  
Vepery,  
Chennai-600 007.

3. The Inspector of Police,  
Nolambur Police Station,  
Chennai District.

4. The Public Prosecutor,  
High Court, Madras.

Crl.O.P.No.8161 of 2023

05.02.2025