



Crl.O.P.No.7260 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 13.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.7260 of 2025

M/s. Sri Sivajothi Electrical Works,
Represented by its Proprietor,
M.Subramani, M/43 years,
S/o. Manmadhan

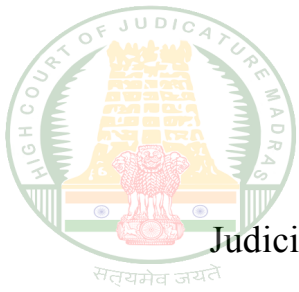
... Petitioner

Vs

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Cuddalore.
2. The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Cuddalore.
3. The Station House Officer,
Old Town Police Station,
Cuddalore Old Town,
Cuddalore.
4. Rajasekaran

... Respondents

Prayer:Criminal Original Petition filed under Section 528 of B.N.S.S., to direct the third respondent to execute the warrant of arrest by securing the accused Rajasekaran in compliance to the orders passed by the learned



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Judicial Magistrate No.II, Puducherry in STC No.5549 of 2010.

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For Petitioner : Mr.S.Ganeshkumar

For Respondents : Mr.A.Gopinath,
Government Advocate (Crl.Side)
for R1 to R3

ORDER

This Criminal Original Petition has been filed to direct the third respondent to execute the warrant of arrest by securing the accused, Rajasekaran, due to non-compliance with the orders passed by the learned Judicial Magistrate No.II, Puducherry in STC No.5549 of 2010.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first to third respondents and perused the materials available on record.

3. The petitioner is the complainant and the fourth respondent is an accused in the complaint lodged by the petitioner for the offences under Section 138 of the Negotiable Instruments Act (hereinafter referred to as 'the NI Act' for short) in STC No.5549 of 2010. After a full-fledged trial, the



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trial Court convicted the fourth respondent for the offences punishable under Section 138 of the NI Act and sentenced him to undergo simple imprisonment for a period of seven months and also awarded compensation to the tune of Rs.14,00,000/- together with interest @ 9% per annum to the petitioner within two months from the date of judgement. In default, he was to undergo simple imprisonment for two months. Thereafter, the fourth respondent did not prefer any appeal so far, and he also failed to comply with the order passed by the trial Court and did not surrender so far. Therefore, the trial Court issued a Non-Bailable Warrant against the fourth respondent, and it is pending on the file of the third respondent.

4. In view of the above, the third respondent is directed to execute the Non-Bailable Warrant against the fourth respondent in STC No.5549 of 2010 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 fourth respondent and co-operate while executing the Non-Bailable Warrant.



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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
kv

To

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Cuddalore.
2. The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Cuddalore.
3. The Station House Officer,
Old Town Police Station,
Cuddalore Old Town,
Cuddalore.
4. The Judicial Magistrate No.II,
Puducherry.
5. The Public Prosecutor,
Madras High Court,
Chennai.

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G.K.ILANTHIRAIYAN. J,

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