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Crl.O.P.No.13759 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2025

CORAM

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

Crl.O.P.No.13759 of 2025

Abdul Ghani

... Petitioner

Vs

1. The Superintendent of Police,  
Office of the SP, Mettur,  
Salem District.

2. The Inspector of Police,  
Soorapalli Police Station,  
Mettur Taluk, Salem District.

3. G.Rajesh

... Respondents

Criminal Original Petition is filed under Section 528 of B.N.N.S., directing the second respondent to execute the conviction warrant issued against the third respondent in order dated 30.04.2024 under STC No.576 of 2021 passed by the Judicial Magistrate's Court at Gudalur, The Nilgiris, based on the written representation of the petitioner dated 03.03.2025.

|                |                                                                     |
|----------------|---------------------------------------------------------------------|
| For Petitioner | : Mr.Thanga Vadhana Balakrishnan                                    |
| For Respondent | : Mr.A.Gopinath,<br>Government Advocate (Crl.Side)<br>(for R1 & R2) |



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## ORDER

This Criminal Original petition has been filed to direct the second respondent to execute the conviction warrant against the third respondent in STC No.576 of 2021 passed by the Judicial Magistrate Court at Gudalur, The Nilgiris.

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

3. The petitioner is the complainant and the third respondent is an accused in STC No.576 of 2021. After full-fledged trial, the Trial Court convicted the third respondent for the offences punishable under Section 138 of the NI Act and sentenced him under Section 255(ii) of Cr.P.C. to undergo simple imprisonment for a period of one year and pay a fine of Rs.10,000/-, in default to undergo two months simple imprisonment and also awarded compensation to the tune of Rs.7,00,000/-. Thereafter, the third



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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 Conviction Warrant against the third respondent, and it is pending on the file of the second respondent.

4. In view of the above, the second respondent is directed to execute the Conviction Warrant against the third respondent in STC No.576 of 2021 within a period of four weeks from the date of receipt of a copy of this order. The petitioner is directed to furnish the correct address of the third respondent and co-operate while executing the Conviction Warrant.

5. With the above observations, this Criminal Original Petition is disposed of.

30.04.2025

Index: Yes/No  
Neutral Citation: Yes/No  
kv

To

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1. The Superintendent of Police,  
Office of the SP, Mettur,  
Salem District.
2. The Inspector of Police,  
Soorapalli Police Station,  
Mettur Taluk, Salem District.
3. The Judicial Magistrate Court,  
Gudalur, The Nilgiris.
4. The Public Prosecutor,  
High Court of Madras.



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

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