



CrI.O.P.No.18206 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.18206 of 2025

Laurance Rosy

... Petitioner

Vs.

1.Reeta

2. The State of Tamil Nadu

Represented by the Commissioner of Police, Trichy
City Police Office, Pudukottai Main Road
Subramanianpuram, Trichy - 620 020

3. The Inspector of Police

C-2 Sessions Court Police Station
Cantonment, Trichy - 620 021

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S., to direct the 2nd respondent, Commissioner of Police, Trichy, to execute the Non-bailable warrant issued by the IV, Fast Track Magistrate, George Town, Chennai to secure the accused Mrs.Reeta and produce her before the IV, Fast Track, Magistrate, George Town, Chennai, in C.C.No.2216 of 2018.



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For Petitioner : Mr.M.Mohamed Nazar

For 1st Respondent : M/s.S.Ponmozhi

For Respondents 2 and 3 : Mr.S.Vinoth Kumar
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed by the petitioner to direct the 2nd respondent, the Commissioner of Police, Trichy, to execute the Non-bailable warrant issued by the Metropolitan Magistrate, Fast Track Court-IV, George Town, Chennai to secure the accused namely Reeta/1st respondent and produce her before the Metropolitan Magistrate, Fast Track Court-IV, George Town, Chennai in connection with C.C.No.2216 of 2018.

2. The case of the petitioner is that the petitioner had filed a complaint against the 1st respondent under Section 138 of Negotiable Instruments Act in C.C.No.2216 of 2018 on the file of the Metropolitan Magistrate, Fast Track Court-IV, George Town, Chennai and the learned Magistrate, after trial,



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convicted the 1st respondent by judgment dated 23.11.2022 for the offence

under Section 138 of Negotiable Instruments Act and sentenced her to undergo

two months simple imprisonment and to pay compensation of Rs.7,50,000/- to

the complainant within a period of two months. Challenging the same, the 1st

respondent/accused preferred an appeal in C.A.No.383 of 2022 on the file of

the XV Additional Sessions Judge, City Civil Court, Chennai and the same was

dismissed by judgment dated 03.07.2024 confirming the judgment of the trial

Court. Thereafter, the petitioner neither preferred revision nor paid the

compensation amount. Therefore, the trial Court issued Non Bailable Warrant

against the 1st respondent/accused to secure her as per the judgment dated

23.11.2022 and the sentence of imprisonment was undergone by the 1st

respondent/accused. Thereafter, the petitioner represented before the trial court

on 24.02.2025 for issuance of distress warrant against the 1st

respondent/accused for realisation of compensation amount of Rs.7,50,000/-

and the trial Court also issued Non Bailable Warrant against the 1st respondent/



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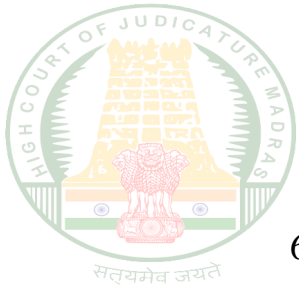
accused. Immediately, process was filed and warrant was sent to the 3rd

respondent on 13.03.2025. However, the 3rd respondent failed to secure the 1st respondent/accused. Despite several reminders/representations, the respondents police have failed to take any effective action. Therefore, the petitioner is constrained to file the present petition.

3. The learned counsel appearing for the 1st respondent/accused submitted that the 1st respondent is a aged about 70 years and she has already undergone the sentence of imprisonment.

4. Heard both sides and perused the materials available on record.

5. Considering the facts and circumstances of the case, the respondents police are directed to execute the Non Bailable Warrant issued by the Fast Track Court-IV, George Town, Chennai within a period of one week from the date of receipt of a copy of this order and produce her before the concerned Magistrate.



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

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of.

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Index : Yes / No
Speaking Order : Yes / No
Neutral Citation Case : Yes/No
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To

1. The Metropolitan Magistrate, Fast Track Court-IV,
George Town, Chennai
2. The Commissioner of Police, Trichy
City Police Office, Pudukottai Main Road
Subramanianpuram, Trichy - 620 020
3. The Inspector of Police
C-2 Sessions Court Police Station
Cantonment, Trichy - 620 021
4. The Public Prosecutor
High Court of Madras, Chennai.



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P.VELMURUGAN,J.

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