



WEB COPY



CrI.O.P.No.23847 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

CrI.O.P.No.23847 of 2025

N.Tamil Selvan

... Petitioner

Vs.

1. The Inspector of Police,
B1 Police Station,
Dharmapuri Town, Dharmapuri District.

2. K.Santhoshbabu

... Respondents

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, to direct the first respondent Police to execute the Nonailable warrant dated 24.02.2022 issued by the learned Judicial Magistrate, Palacode in C.C.No.166 of 2018 against the accused and secure the 2nd respondent/accused.

For Petitioner : Mr.T.Naveen Chandar

For R1 : Mr.R.Vinothraja
Government Advocate (Criminal Side)



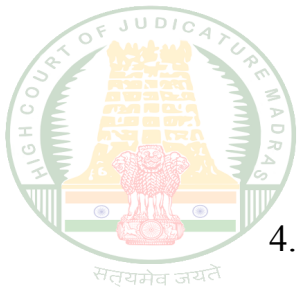
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ORDER

WEB COPY The Criminal Original Petition has been filed seeking for a direction to the first respondent Police to execute the Non bailable warrant dated 24.02.2022 issued against the accused by the learned Judicial Magistrate, Palacode, in C.C.No.166 of 2018.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the first respondent.

3. The grievance of the petitioner is that he had instituted a case against the second respondent/accused before the learned Judicial Magistrate, Palacode, for the offence under Section 138 r/w 142 of Negotiable Instruments Act, in C.C.No.166 of 2018. The trial Court, on 24.02.2022, found the accused/second respondent guilty, convicted him and sentenced him to undergo six months of simple imprisonment and directed him to pay compensation of Rs.3 lakhs, in default to undergo one month of simple imprisonment. Thereafter, the appeal filed by the second respondent was also dismissed on 30.08.2023.



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4. Since the second respondent did not surrender to undergo the sentence imposed on him, the trial Court issued a warrant against the accused. However, despite the issuance of the warrant against the accused in the year 2024, till date, neither has the accused surrendered nor have the respondent Police secured him. Hence, the present petition has been filed.

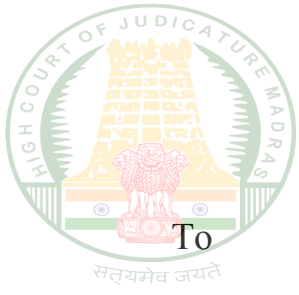
5. Learned Government Advocate (Criminal Side), on instructions, submitted that the warrant issued against the second respondent/accused will be executed within a period of four weeks.

6. Recording the submission made by the learned Government Advocate (Criminal Side), the Criminal Original Petition stands disposed of. The first respondent Police shall ensure that the orders of the Court are duly complied within a period of four weeks from the date of receipt of a copy of this order.

01.09.2025

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Neutral Citation: Yes/No



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WEB COPY To 1. The Judicial Magistrate, Palacode.

2. The Inspector of Police,
B1 Police Station,
Dharmapuri Town,
Dharmapuri District.
3. The Public Prosecutor,
High Court of Madras.



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N. SATHISH KUMAR, J.

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