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Crl.O.P.No.25979 of 2025
and
W.P.(Crl.).No.896 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2025

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THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No. 25979 of 2025

and

W.P.(Crl.).No.896 of 2025

V.Subramaniam

... Petitioner
in both petitions

Vs.

1. K.R.Rajagopalan
2. The Commissioner of Police,
No.132, Commissioner Office Building,
EVK Sampath Road, Vepery,
Chennai – 600 007.
3. State Rep.by its
The Inspector of Police,
Kotagiri Police Station,
Nilgiris District.
4. R & R Hospitals,
No.46, Burkit Road,
T.Nagar, Chennai – 600 017.

... Respondents
in Crl.O.P.No.25979 of 2025

1. The Commissioner of Police,
No.132, Commissioner Office Building,
EVK Sampath Road, Vepery, Chennai – 600 007.



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2. State Rep.by its
The Inspector of Police,
Kotagiri Police Station,
Nilgiris District.
3. State Rep.by its
The Inspector of Police,
Nungambakkam,
Chennai.
4. The Chief Immigration Officer,
Bureau of Immigration,
Sasthri Bhavan,
Haddows Road, Nungambakkam,
Chennai – 600 006.
5. The Passport Authority of India,
Old No.785, New No.158,
2 & 3, 4th Floor, Royala Towers,
Anna Salai, Chennai – 600 002.
6. Immigration Office,
Chennai Port Trust,
Chennai – 600 001.
7. K.R.Rajagopalan

... Respondents
in WP.(Crl.)No.896 of 2025

Prayer in Crl.O.P.No.25979 of 2025 : Criminal Original Petition is filed under Section 528 BNSS, 2023, to direct the 2nd and 3rd respondents to secure and remand the 1st respondent before the District Munsif-cum-Judicial Magistrate, Kotagiri in S.T.CNo.115 of 2025, who is now under the treatment in 4th respondent hospital.

Prayer in W.P.(Crl.)No.896 of 2025 : Writ Petition filed under Article



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226 of Constitution of India, to issue a Writ of Mandamus, directing 1 to 3 respondents to issue lookout circular against the 7th respondent as per the pending Non-Bailable Warrant issued by the District Munsif-cum-Judicial Magistrate Court, Kotagiri in S.T.C.No.115 of 2025 dated 30.07.2025.

For Petitioner : Mr.K.V.Sajeevkumar
in both petitions

For Respondents : Mr.R.Vinoth Raja
Government Advocate (Crl.Side)
for R2 and R3
(in Crl.O.P.No.25979 of 2025)
for R1 to R3
(in W.P.(Crl.)No.896 of 2025)

COMMON ORDER

The Criminal Original Petition in Crl.O.P.No.25979 of 2025 has been filed to direct respondents 2 and 3 to secure and remand the first respondent before the District Munsif-cum-Judicial Magistrate, Kotagiri in S.T.C.No.115 of 2025, who is now under the treatment in 4th respondent hospital.

2. The Writ Petition in W.P.(Crl.)No.896 of 2025 has been filed seeking issuance of Writ of Mandamus to direct respondents 1 to 3 to issue Lookout circular against the 7th respondent as per the pending Non-



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Bailable Warrant issued by the District Munsif-cum-Judicial Magistrate Court, Kotagiri in S.T.C.No.115 of 2025 dated 30.07.2025.

3. Heard the learned counsel on either side and perused the materials available on record.

4. According to the petitioner, he has filed a complaint under Section 138 of the Negotiable Instruments Act, 1881 before the District Munsif-cum-Judicial Magistrate, Kotagiri in S.T.C.No.115 of 2025 against the first respondent. The Court below, after trial, *vide* order dated 29.07.2025 convicted the first respondent herein and sentenced him to undergo simple imprisonment for one year and also directed the first respondent to pay a sum of Rs.3,75,00,000/- as compensation. Since the first respondent failed to pay the compensation amount, the Court below issued Non Bailable Warrant against him. At the time of execution of the warrant, the first respondent was admitted in the fourth respondent-hospital, which is being run by his daughter, as an inpatient, despite being in good health. The respondents-Police are also not taking any action against the first respondent to take him to judicial custody.

5. The learned Government Advocate (Crl.Side) appearing for the



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respondents-Police, on instructions, submitted that since the first respondent/accused felt discomfort at the time of executing the warrant, he was admitted in the hospital, later it came to their knowledge that he is the owner of the hospital. Now, the first respondent is absconding and the respondents-Police are taking all steps to execute the Non-bailable warrant issued against him. The said statement is recorded.

6. Considering the nature of the cheque amount involved i.e., more than 3 crores, let the second respondent-Police - The Inspector of Police, Kotagiri Police Station, Nilgiris District to make necessary request to the fourth respondent-The Chief Immigration Officer, Chennai, to issue Lookout circular as against the first respondent/accused, which shall be done as expeditiously as possible and in any event, within a period of one month from the date of receipt of a copy of this order.

7. With the above directions, these petitions are disposed of.

22.09.2025

Index : Yes/No
Neutral Citation Case : Yes/No
Speaking Order : Yes/No
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7. The Public Prosecutor,
High Court, Madras.



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N. SATHISH KUMAR, J.

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