



Crl.O.P.No.25415 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.25415 of 2025

V.Mariaprakasam

... Petitioner

Vs.

1. The Superintendent of Police,
Cuddalore District.
2. The Deputy Superintendent of Police,
Sethiathoppu, Cuddalore District.
3. The Inspector of Police,
Kattumannarkoil Police Station,
Kacheri Street, Cuddalore District.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, to direct the 1st to 3rd respondent Police to execute the Non-bailable warrant issued by the learned Judicial Magistrate No.II, Chidambaram, in S.T.C.No.223 of 2020.

For Petitioner : Mr.S.Ramajayam

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



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ORDER

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

3. The grievance of the petitioner is that he had instituted a case against the accused before the learned Judicial Magistrate No.II, Chidambaram, for the offence under Section 138 of Negotiable Instruments Act, in S.T.C.No.223 of 2020. The trial Court, on 28.06.2022, found the accused guilty, convicted him and sentenced him to undergo six months of simple imprisonment and directed him to pay compensation of Rs.1,90,000/- within one month in default to undergo one month of simple imprisonment. Thereafter, the appeal filed by the accused was dismissed and that the criminal revision filed before this Court was also dismissed on 15.04.2025. Since the accused did not surrender to undergo the sentence



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imposed on him, the trial Court issued a warrant against the accused on 07.07.2025. However, despite the issuance of the warrant against the accused and the representation made by the petitioner, neither has the accused surrendered nor have the respondent Police secured him till date. Hence, the present petition has been filed.

5. Learned Government Advocate (Criminal Side), on instructions, submitted that the warrant issued against the accused will be executed at the earliest.

6. Recording the submission made by the learned Government Advocate (Criminal Side), the Criminal Original Petition stands disposed of. The respondents Police are directed to secure the accused and execute the warrant pending against him at the earliest.

16.09.2025

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Neutral Citation: Yes/No



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1. The Judicial Magistrate No.II,
Chidambaram.
2. The Superintendent of Police,
Cuddalore District.
3. The Deputy Superintendent of Police,
Sethiathoppu, Cuddalore District.
4. The Inspector of Police,
Kattumannarkoil Police Station,
Kacheri Street, Cuddalore District.
5. The Public Prosecutor,
High Court of Madras.



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N. SATHISH KUMAR, J.

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