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CrI.O.P.No.33250 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.33250 of 2025

S.Mahesh

... Petitioner

Vs.

1. The State represented by,
The Inspector of Police,
S-15, Selaiyur Police Station,
Velachery Road, Aarthy Nagar,
Selaiyur, Chennai.

2. S.Venkatesh

3. S.Bhuvaneshwari

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to direct the first respondent herein to execute the Non-Bailable Warrant issued against respondents 2 and 3 herein C.C.No.35 of 2022 on the file of the learned Judicial Magistrate, Fast Track Court, Alandur.

For Petitioner : Mr.S.Panneer Selvam

For R1 : Mr.S.Santhosh
Government Advocate (Criminal Side)



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ORDER

This Criminal Original Petition has been filed seeking a direction to the first respondent Police to execute the Non-Bailable Warrant issued against the accused by the learned Judicial Magistrate, Fast Track Court, Alandur.

2. The submissions of the learned counsel appearing for the petitioner are as follows:-

2.1. The petitioner had instituted a complaint against respondents 2 and 3 and their company/A1 before the learned Judicial Magistrate, Fast Track Court, Alandur, for the offence under Section 138 of the Negotiable Instruments Act, in C.C.No.35 of 2022.

2.2. The trial Court, on 12.09.2024, found the accused guilty, convicted them and sentenced them to undergo six months of simple imprisonment and directed them to pay a fine amount of Rs.32,22,000/- within one month, in default to undergo two months simple imprisonment. Since there was no representation on the side of the accused, the trial Court issued a Non-Bailable Warrant against them.

2.3. However, despite the issuance of the warrant against the accused/respondents 1 and 2, neither have the accused surrendered, nor



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have the respondent Police secured them till date. Hence, the present petition has been filed.

3. Learned Government Advocate (Criminal Side), on instructions, submitted that the first respondent Police are taking efforts to trace the whereabouts of the accused and will execute the warrant pending against them, within a period of two weeks.

4. Recording the submission made by the learned Government Advocate (Criminal Side), this Criminal Original Petition stands disposed of. The first respondent Police is directed to secure the accused and execute the warrant pending against them within a period of **two weeks** from the date of receipt of a copy of this order.

04.12.2025

Neutral Citation: Yes/No
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To

1. The Judicial Magistrate,
Fast Track Court, Alandur.
2. The Inspector of Police,
S-15, Selaiyur Police Station,
Velachery Road, Aarthy Nagar,
Selaiyur, Chennai.
3. The Public Prosecutor, High Court of Madras.

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A.D.JAGADISH CHANDIRA, J.

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