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CrI.O.P.No.34628 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2025

CORAM:

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

CrI.O.P.No.34628 of 2025

V.Mahalakshmi

... Petitioner

Vs.

1. The Inspector of Police,
North Police Station,
Karikudi Town,
Karaikudi – 630 002,
Sivaganga District.

2. V.Tamil Selvan

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to direct the first respondent to execute the warrant of arrest issued against the second respondent dated 31.10.2025 pertaining to the conviction imposed in C.C.No.136 of 2017 (disposed on the file of the Judicial Magistrate, Fast Track Court Magisterial Level at Ambattur) and to file a status report before this Court.

For Petitioner : Mr.G.Peranban

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



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ORDER

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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/second respondent by the learned Judicial Magistrate, Fast Track Court Magisterial Level, Ambattur.

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

2.1. The petitioner's husband had instituted a complaint against the second respondent before the Fast Track Court Magisterial Level, Ambattur, for the offence under Section 138 of the Negotiable Instruments Act, in S.T.C.No.136 of 2014.

2.2. The trial Court, on 09.02.2015, found the accused guilty, convicted him and sentenced him to undergo six months of simple imprisonment and directed him to pay a compensation amount of Rs.7 lakhs.

2.3. Further, the appeal preferred by the second respondent/accused in C.A.No.16 of 2015 before the I Additional Sessions Court, Tiruvallur, was dismissed on 18.04.2016 and the revision filed before this Court in Crl.R.C.No.75 of 2017 was also dismissed on 05.08.2022. Accordingly, the order passed by the trial Court stood confirmed.



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2.4. Due to the non-appearance of the second respondent/accused, the trial Court issued a Non-Bailable Warrant against him on 31.10.2025. However, despite the issuance of the warrant, till date, the accused has neither surrendered nor has the first respondent Police secured him. Hence, the present petition has been filed.

3. Learned Government Advocate (Criminal Side) appearing for the first respondent submitted that there is no such person residing at the address furnished by the petitioner. However, he fairly submitted that the report regarding the same has not yet been submitted before the Court concerned and he assured that the report would be submitted within a period of one week.

4. Recording the submissions made by the learned Government Advocate (Criminal Side, this Criminal Original Petition stands closed.

17.12.2025

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Neutral Citation: Yes/No

To

1. The Judicial Magistrate,
Fast Track Court Magisterial Level, Ambattur.
2. The Inspector of Police,
North Police Station, Karikudi Town,

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3. Karaikudi – 630 002, Sivaganga District.
The Public Prosecutor, High Court of Madras.

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A.D.JAGADISH CHANDIRA, J.

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