



CRL OP(MD), Nos.7175 to 7178 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : **10.04.2026**

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

CRL OP(MD)Nos.7175 to 7178 of 2026

A.Suresh Babu ... petitioner in all petitions

Vs

1.The Inspector of Police,
Subramaniyapuram Police Station,
Madurai District. ... 1st Respondent in all petitions

2.M.Chandra ... R2 in CrI.O.P.(MD)No.7175 of 2026

3.B.Kamala ... R2 in CrI.O.P.(MD)No.7176 of 2026

4.R.Renuga Devi ... R2 in CrI.O.P.(MD)No.7177 of 2026

5K.Mala ... R2 in CrI.O.P.(MD)No.7178 of 2026

Prayer in CrI.O.P.(MD)No.7175 of 2026: Petition filed under Section 528 of BNSS, to direct the first respondent to execute the Non-Bailable Warrant issued by the learned Fast Track Court No.I, Judicial Magistrate Level, Madurai, in S.T.C.No.129 of 2023, dated 16.09.2025 forthwith.

Prayer in CrI.O.P.(MD)No.7176 of 2026: Petition filed under Section 528 of BNSS, to direct the first respondent to execute the Non-Bailable



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Warrant issued by the learned Fast Track Court No.II, Judicial Magistrate Level, Madurai, in S.T.C.No.317 of 2024, dated 20.03.2025 forthwith.

Prayer in Crl.O.P.(MD)No.7177 of 2026: Petition filed under Section 528 of BNSS, to direct the first respondent to execute the Non-Bailable Warrant issued by the learned Fast Track Court No.I, Judicial Magistrate Level, Madurai, in S.T.C.No.148 of 2023, dated 04.09.2025 forthwith and to take necessary steps to issue lookout notice against the second respondent.

Prayer in Crl.O.P.(MD)No.7178 of 2026: Petition filed under Section 528 of BNSS, to direct the first respondent to execute the Non-Bailable Warrant issued by the learned Fast Track Court No.I, Judicial Magistrate Level, Madurai, in S.T.C.No.43 of 2023, dated 20.08.2025 forthwith.

In all petitions,

For Petitioner : Mr.G.R.Satish

For Respondents : Mr.B.Thanga Aravindh,
Government Advocate for R1

COMMON ORDER

The petitioner is the complainant in S.T.C.Nos.129, 148 and 43 of 2023 on the file of the Fast Track Court No.I, Judicial Magistrate Level, Madurai and S.T.C.No.317 of 2024 on the file of the Fast Track Court



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No.II, Judicial Magistrate Level, Madurai. The petitioner has filed the above complaints under the provisions of the Negotiable Instruments Act, 1881. The second respondents / accused in all the petitions failed to appear in the above proceedings and therefore, Non Bailable Warrants were issued as against them in the above proceedings on 16.09.2025, 20.03.2025, 04.09.2025 and 20.08.2025 respectively. The petitioner with a prayer to direct the first respondent to execute the NBW, has filed these petitions.

2. The learned Government Advocate appearing for the 1st respondent submits that the first respondent Police has not received the warrants so far and therefore, they have not executed the same.

3. The petitioner as a complainant is prosecuting the complaints under Section 138 of Negotiable Instruments Act before the Trial Courts. The accused failed to appear and therefore, NBW was issued as against them on various dates in the year 2025. The facts remains that the warrants have not been executed. The first respondent Police claims that they have not received the warrants so far.



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4. In every Court, the concerned Police Station will be represented though a Constable. The Clerk of the concerned Court is expected to furnish a copy of the warrant to the concerned Police official. It is very unfortunate that neither the Clerk nor the duty Constable has acted upon it and therefore, this petitioner has approached this Court.

5. The complaints may be private complaints initiated under the provisions of the Negotiable Instruments Act. However, NBW is issued by the Court and it has to be executed by the Police. As stated above, it is unfortunate that the Police claims that the warrants have not been furnished to them and it appears that the Court as well as the Police have failed in their duty.

6. In such circumstances, this Court directs the learned Judicial Magistrate, Fast Track Court Nos.I & II, Madurai to ensure that the warrants in the above proceedings are discharged to the concerned Police Station forthwith. On receipt of the warrant, the first respondent Police shall take steps to execute the same without any further delay.



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7. Further, the learned Judicial Magistrate, Fast Track Court Nos.I & II, Madurai, are expected to remind the concerned Clerk to furnish the NBW as and when it has been issued, to the Constable attached to the concerned Police Station, and also to obtain an acknowledgment from the Police Constable. It is made clear that the Trial Courts should avoid such complaints in future.

8. With the above directions, these Criminal Original Petitions are disposed of.

10.04.2026

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To

1. The learned Judicial Magistrate,
Fast Track Court No.I, Madurai.
2. The learned Judicial Magistrate,
Fast Track Court No.II, Madurai.
3. The Inspector of Police,
Subramaniyapuram Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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B.PUGALENDHI, J.

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