

**In the court of Fast Track Court(Magisterial Level), Kovilpatti,
Present: Thiru.K. Anand., M.L.,
Judicial Magistrate**

On this 3rd day of February month of 2026,

CC. No. 19/2013

in

CrI.M.P.No. 9/2026

Dharmaraj

.... Petitioner/ Complainant

/Vs/

Anbu Agencies and 2 others

.... Respondent's / 1st and 3rd Accused

This application has been filed under Section 82 of the Criminal Procedure Code (CrPC), seeking to declare the Respondent / Accused as a proclaimed offender which came up before me for final hearing in the presence of the learned Petitioner Advocate Tr.G. Alwarsamy Sivakumar and learned R1 and R3 side Advocate Tr.R.Eswaramoorthy after hearing the petitioner and R1 and R3 side and perusing the records, this court pronounced the following

ORDER

The sum and substance of the petition:

1. According to the petitioner case, the respondent's cheated the petitioner by issuing cheque punishable U/s. 138 of NI Act.

2. The case was numbered as CC. NO. 19/2013. However, the 2nd accused Maniraj was absconding, leading to the issuance of a Non-Bailable Warrant (NBW) to apprehend him.

3. This case is pending in this court as the NBW remains un-executed for years together. Therefore, this application seeks to declare that the respondent / accused as a proclaimed offender under section 82 of the Crpc. The R1 and R3 side endorse that seen but no counter was filed on the side of R1, R2.

Heard and perused records

4. So far accused does not furnish sureties. The Petition of Petitioner is

perused. Thus it is evident that this court diligently pursued all available avenues to secure the presence of the 2nd accused. Unfortunately, these efforts did not yield any positive outcomes.

5. Considering all the above, this court has reasons to believe that the 2nd accused is concealing himself so that the Non- Bailable Warrant cannot be executed. Hence, the issuance of a written Proclamation is required to secure his presence before this court. Therefore, this court directs the Petitioner/ Complainant to issue a proclamation in the following manner,

- i. The proclamation shall be publicly read in some conspicuous place of the town or village where the 2nd accused ordinarily resides.
- ii. The proclamation shall be affixed to some conspicuous part of the house or home where the 2nd accused ordinarily resides and some conspicuous place of such town or village and Photograph of the same may be submitted along with VAO Certificate.
- iii. A copy of such proclamation shall be affixed in the conspicuous part of the court.
- iv. The proclamation shall be published in a newspaper where 2nd accused ordinarily resides.
- v. The Proclamation shall be in accordance with the Form No. 4 of Schedule-II of Cr.P.C, and it shall be effected by giving 30 days time for the appearance of the 2nd accused from the date of proclamation.

Hence this petition is allowed accordingly.

Dictated to the Steno Typist and directly typed by her in Computer and corrected by me and Pronounced by me in the open court on this day 3rd day of February 2026.

Judicial Magistrate,
Fast Track Court,
Kovilpatti.