



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-07-2026

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THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 17204 of 2026

R.Vijayakumar
S/o. C. Rajendran, No.85/6A, 36/3,
Sathuma Nagar, Varatharajan Street,
Thiruvettriur, Chennai-600 019.

Petitioner(s)

Vs

1. V.Kavitha
W/o. R. Vijaya Kumar, No.4/242,
Kothandam Salai, 1st Cross Street,
Periyar Nagar, Nandambakkam,
Chennai-600 069. Also at No.200/1, CC
Road, Lakshmi Nagar,
Muniyappathangal, VTC Vadapulithiur,
PO, Nayudumangalam,
Thiruvannamalai District.

2.V. Karthika
D/o. R. Vijaya Kumar, Rep by the 1st
respondent Who is the mother and
natural guardian residing at No.4/242,
Kothandam Salai, 1st Cross Street,
Periyar Nagar, Nandambakkam,
Chennai-600 069. Also at No.200/1, CC
Road, Lakshmi Nagar,
Muniyappathangal, VTC Vadapulithiur,
PO, Nayudumangalam,
Thiruvannamalai District.

3.The State Rep By, Inspector of Police
H-8, Thiruvottiyur Police Station,
Chennai.

Respondent(s)



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Petition filed under Section 528 of BNSS to direct the learned II Additional family court at Chennai to dispose the Crl MP No.195 of 2019 in MP No.211 of 2024 in MC No.501 of 2018 due process of law.

For Petitioner(s): Mr.S.Sugendran

For Respondent(s): Mr.R.Rajasekaran
Counsel for Government of
Tamil Nadu (Criminal Side)
High Court of Madras

ORDER

The prayer in the criminal original petition is to direct the learned II Additional Family Court at Chennai to dispose the Crl MP No.195 of 2019 in MP No.211 of 2024 in MC No.501 of 2018.

2.The petitioner before this Court is the husband of the first respondent. It is stated that on account of the arrears of maintenance, a non bailable warrant has been issued in the aforesaid MC No.501 of 2018. The above application is filed to recall the warrant . It is stated that the non bailable warrant has been issued since there is arrears of the maintenance. It is also further stated that the petitioner has already paid 50% of the amount due.

3.As far as the recall of warrant is concerned, if the petitioner surrenders before the concerned Court, the Court will take up the Crl MP for recalling the



warrant. If the petitioner wants further time or to stay the proceedings pending the execution, the interim order of stay has to be obtained by the petitioner in the revision petition that is said to be filed as against the order passed in MP No.211 of 2024.

4.With the aforesaid remedies kept open to the petitioner, this Criminal Original Petition stands disposed of.

06-07-2026

Neutral Citation:Yes/No



To

1.V.Kavitha

W/o. R. Vijayakumar, No.4/242,
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PO, Nayudumangalam,
Thiruvannamalai District.

3.The State Rep By, Inspector of Police
H-8, Thiruvottiyur Police Station,
Chennai.

4.The Public Prosecutor,
Madras High Court,
Chennai – 600 104.



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D.BHARATHA CHAKRAVARTHY J.
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