



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 13.02.2015
CORAM :
THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
Criminal Original Petition(MD)No.2100 of 2015

WEB COPY

R.Mari

... Petitioner

Vs.

1)The Superintendent of Police,
Madurai District,
Madurai.

2)The Inspector of Police,
Karimedi Police Station,
Karimedu, Madurai.

... Respondents

Petition filed under Section 482 of the Criminal Procedure Code, to direct the 2nd respondent to execute the warrant issued by the Honourable Family Judge in Cr.M.P.No.66/2014 in M.C.No.52/2002 dated 25.08.2014 within the period stipulated by this Honourable Court.

For Petitioners : Mr.A.Haja Mohideen
For Respondent : Mrs.S.Prabha, GA(Crl.Side)

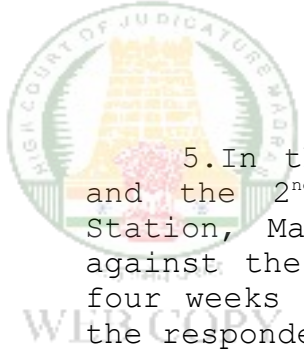
O R D E R

This Criminal Original Petition seeks to direct the 2nd respondent to execute the warrant issued by the Family Court, Madurai, in Cr.M.P.No.66/2014 in M.C.No.52/2002 dated 25.08.2014 within a period to be stipulated by this Court.

2.The petitioner is the wife of the respondent and she filed M.C.No.52/2002 on the file of the Family Court, Madurai, claiming maintenance and vide order dated 04.07.2003, the respondent herein was directed to pay a sum of Rs.2,000/- per month to the petitioner by way of monthly maintenance from the date of petition on 13.11.2002. Since the respondent did not care to comply with the abovesaid order, the petitioner filed Cr.M.P.No.66/2014 under Section 128(2) of Criminal Procedure Code, to enforce the said order of maintenance and the Family Court, vide order dated 25.08.2014 has taken into consideration of the fact that the maintenance amount has not been paid, ordered arrest of the respondent by 22.09.2014.

3.The petitioner came forward to file this petition stating among other things, though the order of arrest passed against the respondent was made as early as on 25.08.2014, the 2nd respondent namely, Inspector of Police, Karimedi Police Station, Madurai, did not take any steps to execute the said warrant and would further add that the petitioner is suffering on account of non payment of maintenance as well as the arrears by the respondent.

4.Learned Government Advocate (Crl.Side) would submit that necessary instructions would be given to the 2nd respondent to execute the warrant of arrest, without any loss of time and prays for four weeks time to execute the warrant of arrest.



5. In the result, the Criminal Original Petition stands disposed of and the 2nd respondent namely, Inspector of Police, Karimedi Police Station, Madurai, is directed to execute the warrant of arrest issued against the respondent by the Family Court, Madurai, within a period of four weeks from the date of receipt of a copy of this order and produce the respondent before the Family Court under intimation to the petitioner.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1) The Judge, Family Court, Madurai.

2) The Superintendent of Police, Madurai District, Madurai.

3) The Inspector of Police, Karimedi Police Station,
Karimedu, Madurai.

4) Additional Public Prosecutor, Madurai Bench of Madras High Court,
Madurai.

Cr1.O.P (MD) No.2100 of 2015
13.02.2015

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