

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 26.07.2016****CORAM:****THE HONOURABLE DR. JUSTICE S.VIMALA****Cr1.O.P. (MD) .No.12784 of 2016**

L.Devi

.. Petitioner

Vs.

1.State through the
Inspector of Police,
All Women Police Station,
Madurai Town, Madurai.

2.K.Murugan

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the first respondent to execute the Non-Bailable Warrant issued in M.C.No.31 of 2014 by the learned Additional Mahila Court (Judicial Magistrate) Madurai as against the 2nd respondent within a time limit.

For Petitioner : Mr.V.Omprakash

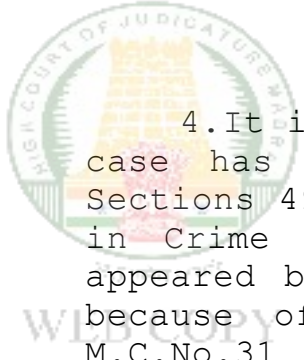
For 1st respondent : Mr.P.Kandasamy,
Government Advocate (Criminal side)

ORDER

It is an application seeking a direction to the first respondent to execute the Non-Bailable Warrant issued in M.C.No.31 of 2014 by the learned Additional Mahila Court /Judicial Magistrate, Madurai, as against the 2nd respondent herein within a stipulated time.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Cr1. Side) for the first respondent. By consent, the Criminal Original Petition itself is taken up for final disposal. In view of the limited relief sought for, notice to the second respondent is dispensed with.

3. The learned counsel for the petitioner would submit that the petitioner, who obtained an order of interim maintenance, is not able to enjoy the fruits of the order, because of the pendency of the Non-Bailable Warrant, which has been issued against the second respondent on 09.02.2016.



4.It is brought to the notice of this Court that even though a case has been registered against the second respondent under Sections 498-A, 405 IPC and Section 4 of the Dowry Prohibition Act in Crime No.21 of 2015, neither he has been arrested nor he appeared before the Police for any enquiry. It is alleged that because of the non execution of the Non-Bailable Warrant in M.C.No.31 of 2014, the petitioner is not able to utilise the remedy which is available for her before the Court. Therefore, the first respondent is directed to execute the Non-Bailable Warrant issued in M.C.No.31 of 2014 within a period of two weeks from the date of receipt of a copy of this order.

5.This Criminal Original Petition is accordingly disposed of.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1.The Judicial Magistrate, Addditional Mahila Court, Madurai.

2.The Inspector of Police,
All Women Police Station,
Madurai Town, Madurai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.V.OM PRAKASH ADVOCATE SR.NO. 39445

gcg

JA-SK-SKN-08.08.2016/2P-5C

Cr1.O.P(MD)No.12784 of 2016
26.07.2016