

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.11.2018

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.26248 of 2018

S.Senthamizh Maran @ S.S. Maran

... Petitioner

-Vs-

1.S.Amutha

2.Minor S.A.Sanjay Bala

Rep. By his Mother and Natural Guardian
S.Amutha

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the learned VI Additional Family Court, Chennai to entertain the petition to recall the Non-Bailable Warrant on the same day pursuant to order in M.P.No.549 /15 in MP.285/14.

For Petitioner : Mr.B.Janakiram

ORDER

This petition has been filed for a direction to the VI Additional Family Court, Chennai to entertain the petition to recall the Non-Bailable Warrant on the same day.

2. It is seen from the records that the Family Court had ordered the petitioner to pay the maintenance amount. The Order was not complied with, by the petitioner. Therefore, the II Additional Family Court at Chennai by an Order dated 04.07.2016, had issued Non-Bailable Warrant against the petitioner. The Non-Bailable Warrant is sought to be recalled by the petitioner by filing the present petition before this Court.

3. This Court of the considered view that the petition is not maintainable before this Court. It is seen from the records that the Non Bailable Warrant was issued in the year 2016 and the petitioner has approached this Court after nearly two years. The petitioner has to file an appropriate petition only before the VI Additional Family Court, Chennai which has issued Non-Bailable Warrant.

4. This Criminal Original Petition is dismissed by giving liberty to the petitioner to file an appropriate petition before the VI Additional Family Court, Chennai to recall the Non-Bailable Warrant. It is left open to the Court below to consider the said petition in accordance with law.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mfa

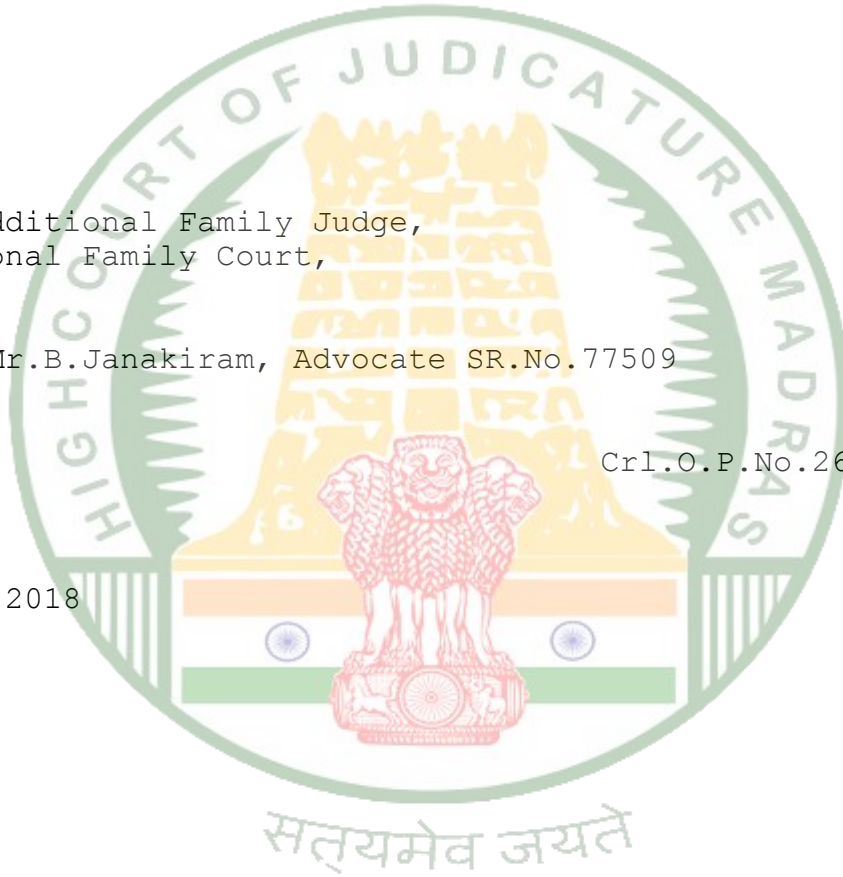
To

The VI Additional Family Judge,
VI Additional Family Court,
Chennai.

+2 cc to Mr.B.Janakiram, Advocate SR.No.77509

CrI.O.P.No.26248 of 2018

NMI (CO)
CSL/04.12.2018



WEB COPY