

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.5490 of 2019

Sathiyakala

... Petitioner

Vs.

The Inspector of Police,
R-10, MGR Nagar Police Station,
MGR Nagar, Nesapakkam,
Chennai.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent to execute the Bailable Warrant in D.V.O.P.No.14 of 2018, on the file of Judicial Magistrate, Vallioor by securing the accused Gopalakrishnan, Ramakrishnan, Thangapazham.

For Petitioner : Mr.J.Pradeep

For Respondent : Mr.C.Raghavan

Government Advocate (Crl.side)

सत्यमेव जयते

ORDER

This Criminal Original Petition has been filed seeking to direct the respondent to execute the Bailable Warrant issued against the petitioner's husband and two others in D.V.O.P.No.14 of 2018 by the Judicial Magistrate, Vallioor.

2.The petitioner got married to one Gopalakrishnan, on

15.09.2011 and having a child. Due to difference of opinion between them and unable to tolerate the harassment by her husband and her in-laws, the petitioner was forced to live in her parental house. She filed a complaint before the respondent Police and same was registered in C.No.166 of 2018, but she could not succeed in getting her child. Since the petitioner's husband did not come forward to live with her, the petitioner filed a divorce petition in D.V.O.P.No.14 of 2018, seeking custody of her child and maintenance before the learned Judicial Magistrate, Vallioor. Though summons were served on the petitioner's husband, he did not appear before the Court. Hence, a bailable warrant has been issued by the learned Judicial Magistrate, Vallioor, on 28.09.2018. But till date, the respondent has not executed the warrant. Hence, the petitioner has filed the present petition with the aforesaid prayer.

3. Heard both sides.

4. It is seen that the learned Judicial Magistrate, Vallioor, has issued a bailable warrant on 28.09.2018 as against the husband, her brother in-law and mother in-law of the petitioner in a case in D.V.O.P.No.14 of 2018. Hence, there shall be a direction to the respondent to execute the

warrant, if issued, within a period of four weeks from the date of receipt of copy of this order.

5. With the above directions, the Criminal Original Petition is disposed of.

01.03.2019

Internet: Yes
Index: Yes/No
Speaking/Non speaking order

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To

1. The Inspector of Police,
R-10, MGR Nagar Police Station,
MGR Nagar, Nesapakkam,
Chennai.

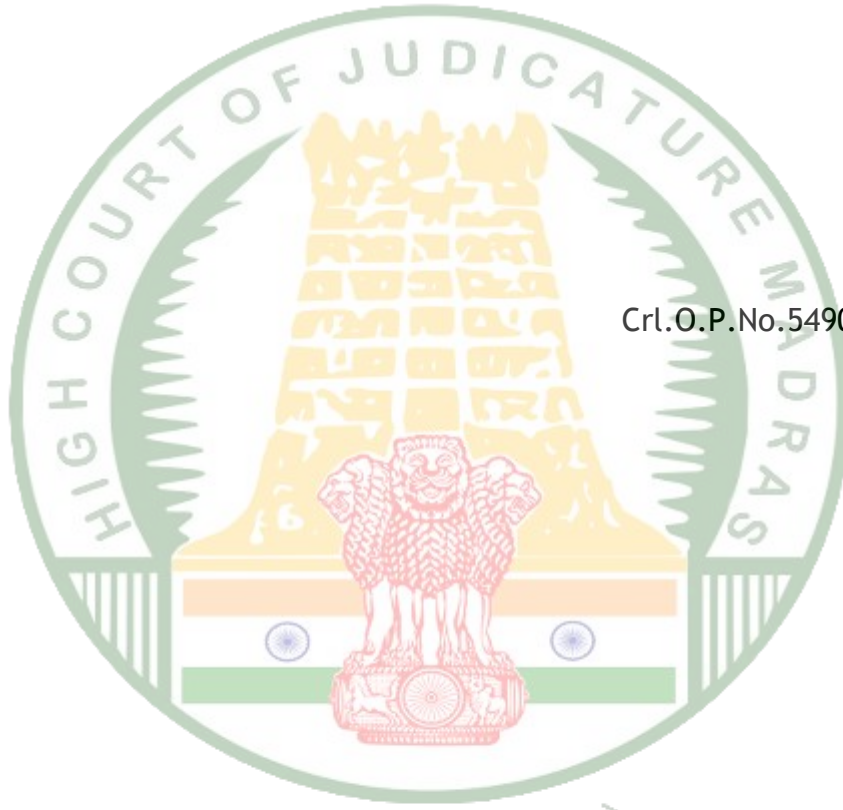
2. The Public Prosecutor,
High Court, Madras.

सत्यमेव जयते

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G.K.ILANTHIRAIYAN, J.

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