

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.15623 of 2019

M.P.Nagalakshmi

...Petitioner/Petitioner

-Vs-

1. The Deputy Commissioner of Police,
Kilpauk - Police District,
Anna Nagar, Chennai 600 040.
 2. Assistant Commissioner of Police,
Sembiam Range,
Sembiam, Chennai 600 011.
 3. The Inspector of Police,
K-5, Peravallur Police Station,
Periyar Nagar West,
Chennai - 600 082
- ... Respondents/Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to issue direction to the respondents 1 to 3 to execute the non-bailable warrant / warrant of arrest issued by the Family Court against N.PRakash, petitioner's husband in M.P.No.268 of 2016 in MP No.849 of 2012 in MC No.477 of 2010 pending on the file of V Additional Family Court at Chennai.

For Petitioner : Mr.P.C.Harikumar and Associates

For Respondents: Mr.Mohammed Riyaz,
Additional Public Prosecutor

ORDER

This petition has been filed seeking for a direction to the respondent police to execute the non bailable warrant issued by the Family Court against the husband of the petitioner in a maintenance case that is pending in M.C.No.477 of 2010.

2. It is seen from records that the Family Court had passed a final order directing the husband of the petitioner to make certain payments towards maintenance and the same was not complied with. The husband of the petitioner also did not appear before the Court and therefore, non bailable warrant came to be issued on 11.10.2017. From then on, the warrant is pending and the same has not been executed till today. Therefore, the present petition has been filed before this Court.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor.

4. Taking into consideration the facts and circumstances of the case, there shall be a direction to the 3rd respondent to execute the non-bailable warrant issued by the V Additional Family Court, Chennai, within a period of four weeks from the date of receipt of copy of this order and produce the husband of the petitioner before the concerned Court.

5. This Criminal Original petition is disposed of with the above directions.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rka/msrm

To

1. The Deputy Commissioner of Police,
Kilpauk - Police District,
Anna Nagar, Chennai 600 040.
2. The Assistant Commissioner of Police,
Sembiam Range,
Sembiam, Chennai 600 011.
3. The Inspector of Police,
K-5, Peravallur Police Station,
Periyar Nagar West,
Chennai - 600 082

4. The Public Prosecutor,
High Court, Madras.

+lcc to M/s.P.C.Harikumar and Associates Advocate Sr.49987

Cr1.O.P.No.15623 of 2019

nrjk[col]
srg 10/07/2019



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