



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD) No.12424 of 2018

Poomadevi

... Petitioner

Vs.

1.The State rep. by,
The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.

2.Jaisankar @ Sekar

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the first respondent to execute the distress warrant issued by the learned Judicial Magistrate Cum Additional District Munsif Court, Manamadurai in Crl.M.P.No.1507 of 2015 in M.C.No.4 of 2004 dated 15.03.2016 within a time limit stipulated by this Court.

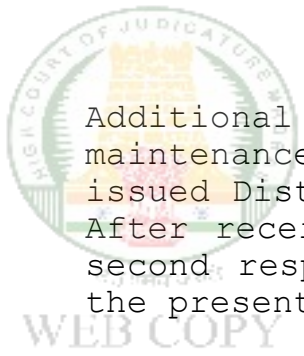
For Petitioner : Mr.M.Jagadeesh Pandian

For 1st Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl. Side)

ORDER

This Criminal Original petition has been filed seeking direction to direct the first respondent to execute the distress warrant issued by the learned Judicial Magistrate Cum Additional District Munsif Court, Manamaduria in Crl.M.P.No.1507 of 2015 in M.C.No.4 of 2004 dated 15.03.2016.

2.The learned counsel appearing for the petitioner would submit that the petitioner filed maintenance case as against the second respondent in M.C.No.4 of 2004 under Section 125 of Cr.P.C., before the Judicial Magistrate Cum Additional District Munsif Court, Manamadurai and the same has been ordered and directed the second respondent to pay a sum of Rs.2,200/- to the petitioner and his sons. Even then the second respondent did not comply the order passed by the trial Court. Therefore, she filed a petition Cr.M.P.No.1507 of 2015 on the file of the Judicial Magistrate Cum



Additional District Munsif Court, Manamadurai to execute the maintenance amount passed in M.C.No.4 of 2004 and the trial Court issued Distress warrant against the second respondent on 15.03.2016. After receipt of the same, the first respondent neither secure the second respondent nor produce him before the trial Court. Hence, the present petition.

3.Heard Mr.M.Jegadeesh Pandian, learned counsel appearing for the petitioner and Mr.K.Suyambulinga Bharathi, learned Government Advocate (Crl. Side) appearing for the first respondent.

4.Considering the above facts and circumstances of the case, the petitioner is directed to furnish the correct address and location of the second respondent to the first respondent and on receipt of the same, the first respondent is directed to execute the distress Warrant as against the second respondent in Crl.M.P.No.1507 of 2015 in M.C.No.4 of 2004 on the file of the learned Judicial Magistrate Cum Additional District Munsif Court, Manamadurai within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To:

1.The Judicial Magistrate
Cum Additional District Munsif Court,
Manamadurai.

2.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.

Crl.O.P.(MD) No.12424 of 2018
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