



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD)No.15400 of 2020

Amuthamozhi

... Petitioner

Vs

1. The State rep by
The Superintendant of Police,
Thanjavur District, Thanjavur.

2. The Inspector of Police,
Thiruchitrampalam Police Station,
Thanjavur District.

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the second respondent to execute the Non-bailable warrant issued by the learned Family Court, Madurai in Cr.M.P.No.69 of 2018 dated 09.01.2019 within the time limit fixed by this Court.

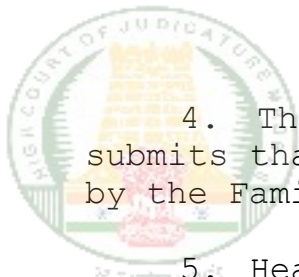
For Petitioner : Mr.M.Jegadeesh Pandian
For Respondents : Mr.V.Neelakandan,
Additional Public Prosecutor(Crl.Side)

O R D E R

This Criminal Original Petition has been filed to direct the second respondent to execute the Non-bailable warrant issued by the learned Family Court, Madurai in Cr.M.P.No.69 of 2018 dated 09.01.2019 within the time limit fixed by this Court.

2. The learned counsel for the petitioner would submit that the petitioner had filed a maintenance petition against her husband and the same was decreed in her favour directing the husband of the petitioner to pay the maintenance. Since the husband of the petitioner failed to pay the maintenance, the petitioner again approached the Family Court, Madurai for executing the order. Since the husband of the petitioner failed to appear for hearing, the Family Court issued Non-Bailable Warrant against him. But, so far, no action has been taken by the second respondent to execute the warrant. Hence, this petition.

3. The learned Additional Public Prosecutor appearing on behalf of the first respondent, on instructions, would submit that the Non Bailable Warrant issued by the Court concerned was not received by the second respondent. Therefore, the same is not executed by them.



4. The learned counsel for the petitioner by way of reply submits that he would assist the police in getting the warrant issued by the Family Court.

5. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent.

6. Recording the above submission made by the learned Additional Public Prosecutor, without going into the merits of the case, the second respondent is directed to execute the Non Bailable Warrant issued by the Family Court within a period of four weeks from the date of receipt of a copy of this order.

7. With the above directions, this criminal original petition is disposed of.

Sd/-
Assistant Registrar (AD-II)

// True Copy //

/ /2021
Sub Assistant Registrar(CS-)

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:-

1. The Superintendent of Police,
Thanjavur District, Thanjavur.
2. The Inspector of Police,
Thiruchitrampalam Police Station,
Thanjavur District.

Copy To:-

1. The Judge, Family Court, Madurai.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

TA
TE : 07/01/2021 : 2P/5C

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