

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.O.P.No.19685 of 2018

A.Beula Evangelin @ Padmavathi .. Petitioner

Vs.

1. The Superintendent of Police,
Virudhunagar District.

2. The Inspector of Police,
Sivakasi East Police Station,
Parapatti,
Sivakasi - 626 189.

3. R.Nagarajan@ Raja .. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 1st and 2nd respondents herein to execute the warrant of Arrest in M.P.No.186 of 2017 in M.C.No.388 of 2013 pending on the file of III Additional Family Court, Chennai.

For Petitioner : Mr.P.Babu

For Respondents : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This petition has been filed to direct the 1st and 2nd respondents herein to execute the warrant of Arrest in M.P.No.186 of 2017 in M.C.No.388 of 2013 pending on the file of III Additional Family Court, Chennai.

2. The case of the petitioner is that the petitioner filed the Maintenance Petition in M.C.No.388 of 2013, on the file of the III Additional Family Court, Chennai against her husband Nagaraj (alias) Raja, and the Trial Court ordered for payment of maintenance for a sum of Rs.6,000/- per month from 01.08.2013, however, the husband had failed to comply with said order of the Trial Court and therefore, she has filed the petition for arrest in M.P.No.186 of 2017 in M.C.No.388 of 2013, and the same was ordered and a Non bailable warrant was issued on 30.10.2017. For execution of the said warrant, this petition has been filed.

3. The learned counsel appearing for the petitioner submitted that immediately after the order of the Trial Court, the petitioner has served the warrant to the 2nd respondent and the same was acknowledged by them.

However, till date the said NBW was not given effect to and prays for execution of the warrant.

4. The learned Government Advocate (Crl.Side) submitted that the NBW issued by the Trial Court will be executed within a period of four weeks.

5. Considering the facts and circumstances that though the NBW was issued as early as on 30.10.2017, till date the same has not been executed, this Court is inclined to issue direction to the 2nd respondent to execute the warrant.

6. This Criminal Original Petition is disposed of with a direction to the 2nd respondent to execute the Non Bailable Warrant dated 30.10.2017 issued in M.P.No.186 of 2017, on the file of III Additional Family Court, Chennai - 104, within a period of four weeks from the date of receipt of a copy of this order.

30.07.2021

Speaking/Non Speaking order

Index : Yes/No

Internet: Yes/No

sk

M.DHANDAPANI,J.

Sk

To

- 1.The III Additional Judge,
Family Court, Chennai.
2. The Superintendent of Police,
Virudhunagar District.
3. The Inspector of Police,
Sivakasi East Police Station,
Parapatti,
Sivakasi - 626 189.
4. The Public Prosecutor,
High Court, Madras.



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