



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.18217 of 2021

Muthurakku

... Petitioner

vs.

1.The Superintendent of Police,
Sivagangai District,
Sivagangai.

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

3.Mandhakkalai @ Kingsly Mandhaikkalai ... Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents 1 and 2 to execute non bailable warrant issued by the Chief Judicial Magistrate, Sivagangai, Sivagangai District in Cr.M.P.No.145 of 2017 at the hands of the second respondent police within a period as stipulated by this Court.

For Petitioner

: Mr.T.Kumar

For R1 & R2

: Mr.M.Sakthi Kumar

Government Advocate (Crl.)

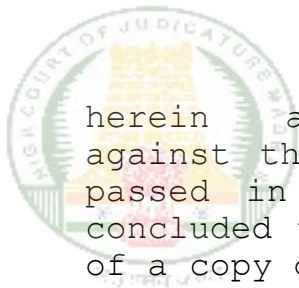
O R D E R

The petitioner has obtained an award of maintenance in her favour in M.C.No.11 of 2020 on the file of the Chief Judicial Magistrate, Sivagangai. The said amount was also enhanced later.

2. The grievance of the petitioner is that her husband / R3 herein did not honor the court order. Hence, for executing the award, the petitioner moved the court below by filing Cr.M.P.No.145 of 2017. The court below directed the arrest of the third respondent. Non bailable warrant is said to have been issued. But till date, the third respondent has not been arrested. Hence, this Criminal Original Petition has been filed for directing the second respondent to execute the non bailable warrant.

3. When the matter was taken up for hearing, the learned Government Advocate (crl.), on instruction, submitted that the second respondent has not received any non bailable warrant from the jurisdictional Court.

4. In view of the above, this Criminal Original Petition is disposed of by directing the jurisdictional Court / Chief Judicial Magistrate, Sivagangai to co-ordinate with the second respondent



herein and ensure that the appropriate proceedings are taken against the third respondent for ensuring compliance of the order passed in the maintenance case. The entire exercise shall be concluded within a period of three months from the date of receipt of a copy of this order.

WEB COPY

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Chief Judicial Magistrate,
Sivagangai.
- 2.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 3.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T. KUMAR, Advocate (SR-35763[F] dated 24/11/2021)

CrI.O.P.(MD)No.18217 of 2021
22.11.2021

AM(CO)

GC(30.11.2021) 2P 6C