



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2022

CORAM:

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

Crl.O.P.(MD) No.3601 of 2022
and Crl.M.P(MD) No.2649 of 2022

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1. S.Deepak
2. R.Srinivasan
3. Bala Srinivasan

...Petitioners/Respondents

Vs.

Sai Sindhuja

...Respondent/Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records of order in S.T.C. No. 3109/2021 on the file of the Judicial Magistrate, Additional Mahila Court, Trichy dated 22.12.2021 and setaside the same.

For Petitioner : M/s.Haja Mohideen A

ORDER

This petition has been filed seeking direction to call for the records of order in S.T.C. No. 3109/2021 on the file of the Judicial Magistrate, Additional Mahila Court, Trichy dated 22.12.2021 and set aside the same.

2.The respondent filed complaint as against the petitioner under domestic violence Act in DVC No.11 of 2017. It was ordered on 02.12.2019, thereby directing the first petitioner herein to pay a sum of Rs.15000/-as monthly maintenance to the respondent herein and also ordered to pay compensatation of Rs.15,00,000/- payable to the petitioner jointly or severally to the respondent herein and a sum of Rs.10000/- as costs. It seems that the respondent filed petition to execute order passed in DVC No.11 of 2017 in which Non Bailable Warrant is issued as against the petitioner and the same is pending. Appeal has been filed to set aside the order passed in DVC No.11 of 2017 before the Sessions Court, Trichy along with the condone delay petition in Crl.M.P.No.5936 of 2017 and it is pending.

3. Under these circumstances the petitioner has challenged the non bailable warrant issued in STC No.3109 of 2017 which is filed for executing the order passed in DVC No.11 of 2017. Appeal is filed as against the order in DVC No.11 of 2017,hence this Court is not inclined to entertain this petition.



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4. In the result, the petition stands dismissed. However the petitioners are liberty to recall the non bailable warrant issued against him before the court below in the manner known to law. Consequently connected miscellaneous petition is also closed.

Sd/-

Deputy Registrar (A/Cs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

aav

To

The Judicial Magistrate, Additional Mahila Court,
Trichy.

CrI.O.P. (MD) No.3601 of 2022
22.02.2022

RD(07.03.2022) 2P 2C