



Crl.O.P.(MD)No.16587 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.11.2022

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.(MD)No.16587 of 2022

1. L.Sundarameenakshi @ Aarthy,
 2. Minor.Miruthul Murugan
- ...Petitioners / Petitioners

Vs.

1. The District Collector,
Chennai.
 2. The State, represented by
The Inspector of Police,
All Women Police Station,
Ambatur, Chennai.
 3. Manikandan
- ...Respondents
...Respondents / Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the first Respondent to execute the distress Warrant issued in Cr.M.P.No.5 of 2022 in M.C.No.8 of 2016 on the file of the Family Court, Thoothukudi, dated 24.03.2022 within the time stipulated by this Court.

For Petitioner : Mr. Balakrishnan.R

For R1 and R2 : Mr. T.Senthil Kumar
Additional Public Prosecutor



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ORDER

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The learned Counsel for the Petitioner submitted that the Petitioner had filed the maintenance case in M.C.No.8 of 2016 on the file of the Family Court, Thoothukudi, based on which, Warrant is pending. This Petition had been filed seeking direction to the first Respondent to execute the Warrant issued in Cr.M.P.No.5 of 2022 in M.C.No.8 of 2016 on the file of the Family Court, Thoothukudi, dated 24.03.2022, within the time stipulated by this Court

2. The learned Additional Public Prosecutor submitted that as Per Rule 31(7) of Criminal Rules of Practice, 2019, the Respondents 1 and 2 may be directed to follow the guidelines. It reads as follows:

(7) An Officer to whom a warrant of arrest is directed, shall send a report to the Court every thirty days beginning from the date of receipt of the warrant until it is executed, detailing the steps taken for executing the same. Every warrant of arrest shall bear the following Post Script. "A report detailing the steps taken to execute the warrant should be sent every thirty days until executed." If the warrant is not executed within a period of



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ninety days from the date of its issue, the Court may direct a superior officer to execute the said warrant.

3. In the light of the submission of the learned Additional Public Prosecutor, the learned Judge, Family Court, Thoothukudi, is directed to execute the Warrant of arrest through the Station House Officer of the Police Station concerned and to seek a report for 30 days regarding the steps taken by the Station House Officer of the Police Station concerned. On failure of the same, the learned Judge, Family Court, Thoothukudi, shall address the higher official of the Station House Officer regarding inaction of the Station House Officer of the Police Station concerned and for appropriate action against him/her.

4. With the above directions, this petition is disposed of.

17.11.2022

Index : Yes/No

Internet: Yes/No

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SATHI KUMAR SUKUMARA KURUP, J.,

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To

1. The District Collector,
Chennai.
2. The Inspector of Police,
All Women Police Station,
Ambatur, Chennai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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