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CrI.O.P.No.6825 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 28.03.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.CHANDRASEKHARAN**

CrI.O.P.No.6825 of 2023

Sona @ Hyacinth Raju

...Petitioner

Vs.

1. The Commissioner of Police,
No.132, EVK Sampath Road,
Veppery, Chennai-600 007.

2. The Inspector of Police, (Crime),
V7 Nolambur Police Station,
Mogappair West, Chennai-600 037.

3. Dilip Raju

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to issue a direction by directing the second respondent to execute the arrest warrant issued by the Vth Additional Family Court / Vth Additional Principal Judge Chennai, against the third respondent in CrI.MP.415 of 2021 dated 29.06.2022.

For Petitioner : M/s B.Thenmozhi

For Respondents

R1 and R2 : Mr.S.Santhosh

Government Advocate (CrI.Side)

ORDER



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This Criminal Original Petition has been filed directing the second respondent to execute the arrest warrant issued by the Vth Additional Family Court / Vth Additional Principal Judge Chennai, against the third respondent in CrI.MP.415 of 2021 dated 29.06.2022.

2. It is the submission of the learned counsel for the petitioner that the petitioner filed a maintenance case against one Dilip Raju who is her son, seeking maintenance. The Vth Additional Family Court / Vth Additional Principal Judge, Chennai, ordered maintenance for a period from 01.12.2018 to 30.06.2021 and arrear comes to Rs.6,00,000/-. Since her son Dilip Raju has not paid the amount, the Vth Additional Family Court / Vth Additional Principal Judge, Chennai, ordered arrest warrant against the said Dilip Raju in M.P.No.415 of 2021 in M.C.No.14 of 2019 on 29.06.2022. Despite completion of nine months, warrant has not been executed. Therefore, this petition.

3. In response, the learned Government Advocate (CrI.Side) submitted that suitable efforts and steps would to be taken for executing the arrest warrant and production of Dilip Raju before the Vth Additional Family Court / Vth Additional



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Principal Judge Chennai.

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4. Considering the circumstances stated by the counsel appearing for the parties, this Court directs the second respondent to take every possible steps to comply with the order of the learned Vth Additional Family Court / Vth Additional Principal Judge Chennai for effecting arrest of Dilip Raju and produce before the Vth Additional Family Court / Vth Additional Principal Judge Chennai, within a period of four weeks from the date of receipt of a copy of this order, for further course of action.

5. With the above direction, this Criminal Original Petition is disposed of.

28.03.2023

mn

Index:Yes/No

Speaking Order: Yes/No



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G.CHANDRASEKHARAN.J.,

mn

To

- 1.The Vth Additional Family Court / Vth Additional Principal Judge, Chennai.
2. The Commissioner of Police,
No.132, EVK Sampath Road,
Veppery, Chennai-600 007.
3. The Inspector of Police, (Crime),
V7 Nolambur Police Station,
Mogappair West, Chennai-600 037.
- 4.The Public Prosecutor,
High Court of Madras.

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