



WEB COPY

Crl.O.P.(MD)No.7681 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.04.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD)No.7681 of 2023

Fathima Al Haseena

... Petitioner/Defacto Complainant

Vs.

The State represented by
The Inspector of Police,
Omatchikulam Police Station,
Madurai District.

(For execution of warrant in
connection with C.C.No.69 of 2016)

... Respondent/Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondent police to execute order dated 06.10.2022 in the NBW in connection with C.C No. 69/2016 on the file of the Additional Mahila court, Madurai.

For Petitioner : Mr.K.Yasar Arafath

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking direction to the respondent police to execute order dated 06.10.2022 in the NBW in



connection with C.C No. 69/2016 on the file of the Additional Mahila court, Madurai.

2.The learned counsel for the petitioner would submit that against one Arsath Ibrahim a complaint was lodged before the respondent police and FIR was registered in Crime No.1026 of 2014 against him for the offences punishable under Sections 448,294(b), 323, 427, 506(i) of IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002. After completing the investigation charge sheet has been filed before the Additional Mahila Court, Madurai, and the same was taken cognizance in C.C.No.69 of 2016. Pending trial since the accused was absent continuously, NBW was issued by the trial Court on 06.10.2022, but the same was not executed by the respondent police so far.

3.The learned Additional Public Prosecutor would submit that the above said warrant was recalled under the petition filed by the accused before the trial Court. Thereafter, again he was absent. Hence, again warrant was issued against him today.

4.Considering the oldness of the matter, there shall be a direction to the trial Court namely the Additional Mahila Court, Madurai, to ensure



Crl.O.P.(MD)No.7681 of 2023

the presence of the accused person or secure the accused immediately, expedite the trial process in the above said C.C.No.69 of 2016 and dispose of the same, within a period of four months from the date of receipt of a copy of this order.

5.With the above said directions, this criminal original petition is disposed of.

25.04.2023

Index : Yes/No
Internet : Yes/No
TM

To

- 1.The Judge, Additional Mahila Court, Madurai.
- 2.The Inspector of Police,
Omatchikulam Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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