



Crl.O.P.(MD)No.5735 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.5735 of 2022

1.Vijayalakshmi

2.Minor Yogeshwaran

(Rep. by his guardian and mother Vijalakshmi)

... Petitioners

Vs.

1.Suresh @ Sirappalli

2.The Inspector of Police,
Kulithalai Police Station,
Kulithalai, Karur District.

... Respondents

[2nd respondent is impleaded vide order dated 02.02.2024
in Crl.M.P.(MD)No.4857 of 2022]

PRAYER:- Petition filed under Section 482 of Cr.P.C., to direct the Inspector of Police, Kulithalai to execute the bailable warrant issued in C.M.P.No.1799 of 2020 on the file of the learned Judicial Magistrate No.II, Kulithalai.

For Petitioners : Mr.Vasik Ali
for Mr.RM.Sivakumar

For R2 : Mr.S.Manikandan
Government Advocate (Crl. side)



Crl.O.P.(MD)No.5735 of 2022

ORDER

WEB COPY

This Criminal Original Petition has been filed to direct the second respondent to execute the bailable warrant issued in C.M.P.No.1799 of 2020 on the file of the learned Judicial Magistrate No.II, Kulithalai.

2.The petitioners are the wife and children of the first respondent. They filed a petition under Section 125 of Cr.P.C. before the learned Judicial Magistrate No.II, Kulithalai in M.C.No.7 of 2015 and the same was ordered on 30.08.2019 and the learned Magistrate directed the first respondent to pay Rs.5,000/- to the first petitioner and Rs.3,000/- to the second respondent as monthly maintenance and the said amount was not paid and the first respondent continuously evade the trial proceedings. Thereby, the learned Judicial Magistrate No.II, issued a bailable warrant against the first respondent in C.M.P.No.1799 of 2020 and till date, the said bailable warrant was not executed and hence, the present petition is filed.

3.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. side) appearing for the second respondent.



Crl.O.P.(MD)No.5735 of 2022

4.The learned counsel for the petitioners would submit that this Court may issue a direction to the second respondent to execute theailable warrant issued by the trial Court.

5.In view of the above, the second respondent is directed to execute theailable warrant issued by the trial Court against the first respondent, within a period of two weeks from the date of receipt of a copy of this order, if not already executed.

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

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
Sji

02.02.2024

To

- 1.The Inspector of Police,
Kulithalai Police Station,
Kulithalai, Karur District.
- 2.The Judicial Magistrate No.II, Kulithalai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.5735 of 2022

M.DHANDAPANI, J.

Sji

Crl.O.P.(MD)No.5735 of 2022

02.02.2024