



CrI.O.P.No. 3146 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2025

CORAM:

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

CrI.O.P.No.3146 of 2025

S.Seethalakshmi

... Petitioner

Vs

1. The Deputy Commissioner of Police,
R4 Pondy Bazar Police Station Range,
Medley Road, T.Nagar, Chennai ~ 600 017.

2. The Inspector of Police,
R4, Pondy Bazar Police Station Range,
T.Nagar, Chennai ~ 600 017.

3. N.Sethuraman

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023/Section 482 of Cr.P.C, to direct the second respondent to Execute the pending NBW Warrant issued against the third respondent in M.P.No.904/2022 in MC.No.50/2021 for the long pending non-payment of maintenance sum of Rs.6,00,000/-(from April 2022 to September 2022) in M.P.No.904/2022 in M.C.No.50/2021 as per Court of law.



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For Petitioner : Mr.S.Seethalakshmi (Party-in-Person)
For R1 and R2 : Mr.R.Vinothraja
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed seeking direction directing the second respondent to Execute the pending NBW Warrant issued against the third respondent in M.P.No.904/2022 in MC.No.50/2021, on the file of the II Additional Family Court, Chennai.

2. Heard the learned Party~in~Person appearing for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondents 1 and 2 and perused the materials placed on record.

3. The petitioner is the wife of third respondent. They got married and were living together. Thereafter, due to misunderstanding between them, they got separated and the petitioner is living separately. Therefore, the petitioner was not able to maintain herself and filed a petition seeking maintenance in M.C.No.50 of 2021, on the file of the II Additional Family Court, Chennai. After ordering maintenance, the third



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respondent failed to comply with the order and as such, the petitioner filed an application in M.P.No.904 of 2022 for execution of maintenance order. However, after receipt of the notice, the third respondent failed to comply with the order and failed to appear before the Family Court and as such, the Family Court, issued Non Bailable Warrant against the third respondent and it is pending on the file of the second respondent.

4. In view of the above, the second respondent is directed to execute the Non Bailable Warrant issued against the third respondent, within a period of twelve weeks from the date of receipt of a copy of this order. The petitioner is directed to furnish the correct address of the third respondent and co-operate with the second respondent while execution of Non Bailable Warrant issued against the third respondent.

5. With the above directions, this Criminal Original Petition stands disposed of.

07.02.2025

Internet:Yes
Index:Yes/No



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Speaking/Non speaking order

mn

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mn

To

1. The II Additional Family Court, Chennai.
2. The Deputy Commissioner of Police,
R4 Pondy Bazar Police Station Range,
Medley Road, T.Nagar, Chennai - 600 017.
3. The Inspector of Police,
R4, Pondy Bazar Police Station Range,
T.Nagar, Chennai - 600 017.
4. The Public Prosecutor,
High Court, Madras.

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Today the matter is listed under the caption 'for being mentioned' at the instance of the learned counsel for the third respondent.

2. The learned counsel for the third respondent has brought to the notice of this Court that while passing the order dated 07.02.2025 in Crl.O.P.No.3146 of 2025, there was no warrant pending as against the third respondent. However, as on 06.03.2025, a Non-Bailable Warrant is pending as against the third respondent.

3. Accepting the submissions of the learned counsel for the third respondent, the paragraph 3 and 4 of the order portion is modified as follows:

“3. The petitioner is the wife of third respondent. They got married and were living together. Thereafter, due to misunderstanding between them, they got separated and the petitioner is living separately. Therefore, the petitioner was not able to maintain herself and filed a petition seeking



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maintenance in M.C.No.50 of 2021, on the file of the II Additional Family Court, Chennai. After ordering maintenance, the third respondent failed to comply with the order and as such, the petitioner filed an application in M.P.No.904 of 2022 for execution of maintenance order. However, after receipt of the notice, the third respondent failed to comply with the order and failed to appear before the Family Court and as such, the Family Court, issued No Bailable Warrant against the third respondent on 06.03.2025 and it is pending on the file of the second respondent.

4. In view of the above, the second respondent is directed to execute the Non Bailable Warrant issued against the third respondent on 06.03.2025, within a period of twelve weeks from the date of receipt of a copy of this order. The petitioner is directed to furnish the correct address of the third respondent and co-operate with the second respondent while execution of Non Bailable Warrant issued against the third respondent.”

4. In all other aspects, the order dated dated 07.02.2025 in CrI.O.P.No.3146 of 2025 shall remain unaltered.



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5. Registry is directed to carry out the necessary correction in the order dated 07.02.2025 in CrI.O.P.No.3146 of 2025 and issue a fresh order copy.

11.03.2025

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shk

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11.03.2025