



Crl.O.P.No.15896 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2025

CORAM:

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

Crl.O.P.No.15896 of 2023

J.Shaithunisha

... Petitioner

Vs

State Rep By
The Inspector of Police,
SH-15 Police Station,
Velacherry Main Road,
Selaiyur,
South Chennai 600059.

... Respondent

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 respondent police to execute the Non-Bailable Warrant dated 19.01.2023 issued against J.Shokkath Ali, S/o. S.Johan Basha, residing at No.A8, AVR Apartment, Bharat Matha street, East Tambaram, Chennai 600 059 in MP.No.806/2019 in MC.No.438/2016 on the file of the Principal Family Court, Chennai 600 104.

For Petitioner : Mr.Shaikh Mehrunnisa Kasim

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.side)



Crl.O.P.No.15896 of 2023

ORDER

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This Criminal Original Petition has been filed for direction directing the respondent police to execute the Non-Bailable Warrant dated 19.01.2023 issued against J.Shokkath Ali, S/o. S.Johan Basha, residing at No.A8, AVR Apartment, Bharat Matha street, East Tambaram, Chennai 600 059 in MP.No.806/2019 in MC.No.438/2016 on the file of the Principal Family Court, Chennai 600 104.

2. Heard the learned counsel on either side and perused the materials placed on record.

3. The petitioner filed a petition seeking maintenance in M.C.No.438 of 2016 on the file of the Principal Family Court, Chennai. The Trial Court awarded a sum of Rs.5000/- as monthly maintenance payable by her husband to the petitioner and her son. However, it was not complied with and as such, the petitioner filed a petition in M.P.No.806 of 2019 to comply with the order passed in M.C.No.438 of 2016 and the same was allowed. The petitioner's husband did not appear before the Trial Court and as such, the Trial Court has issued Non-Bailable Warrant against him and it is pending on the file of the respondent.



Crl.O.P.No.15896 of 2023

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4. In view of the above, the respondent is directed to execute the Non-Bailable Warrant issued as against the petitioner's husband in M.P.No.806 of 2019 in M.C.No.438 of 2016 on the file of the Family Court, Chennai, 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 her husband and also co-operate during the execution of Non-Bailable Warrant issued as against her husband.

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

12.02.2025

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
mn



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CrI.O.P.No.15896 of 2023

G.K.ILANTHIRAIYAN. J.

mn

To

1. The Family Court, Chennai.
2. The Inspector of Police,
SH-15 Police Station,
Velacherry Main Road,
Selaiyur,
South Chennai 600059.
- 3.The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.15896 of 2023

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