



Crl.O.P.No. 24351 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2025

CORAM:

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

Crl.O.P.No. 24351 of 2024

1.Gayathri

2.Minor Dhiya
Represented by the 1st petitioner mother
as Guardian

.... Petitioners

Vs

1.G.Dharmaraja

2.The State rep by
The Inspector of Police,
T-7, Tank Factory Police Station,
Avadi, Chennai.

.... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to issue direction to the second respondent to execute forthwith the distress warrant issued by the learned Family Court, Chengalpattu on 06.04.2024 in FCCMP No.270 of 2023 in FC MC No.33 of 2017.

For Petitioner : Mr.G.Magesh Kumar

For R2 : Mr.R.Vinothraja
Government Advocate (Crl. Side)

ORDER



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This petition has been filed seeking a direction to the second respondent to execute the distress warrant issued against the first respondent in FCCMP No.270 of 2023 in FC MC No.33 of 2017 on the file of the Family Court, Chengalpattu.

2. The first petitioner is the wife of the first respondent. They got married and gave birth to the second petitioner. While being so, due to a misunderstanding, they got separated. Thereafter, the first petitioner could not able to maintain herself and the child and she filed a maintenance petition in FC MC No.33 of 2017 before the Family Court, Chengalpattu, against the first respondent. By an order dated 01.12.2020, the first respondent was directed to pay a sum of Rs.15,000/- to the petitioners as monthly maintenance from the date of filing the petition. However, the first respondent failed to comply with the same. Therefore, the petitioners filed a petition in FCCMP No.270 of 2023, in which, the Family Court, Chengalpattu issued a distress warrant against the first respondent, which is pending on the file of the second respondent.

3. In view of the above, the second respondent is directed to execute the distress warrant issued by the Family Court, Chengalpattu, in FCCMP No.270 of 2023 in FC MC No.33 of 2017, within a period of



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twelve weeks from the date of receipt of a copy of this order.

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4. With the above direction, this Criminal Original Petition stands disposed of.

06.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
Lpp

To

1. The Inspector of Police,
T-7, Tank Factory Police Station,
Avadi, Chennai.

2. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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