



Crl.O.P.(MD)No.767 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.767 of 2025

S.Ananthi

: Petitioner

Vs.

1.The District Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2.The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.

3.M.Subramanian

: Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the first and second respondents to execute the non-bailable warrant which is issued by the learned Judicial Magistrate Court No.II, Kovilpatti, Thoothukudi District in Cr.M.P.No.2051 of 2023 dated 25.06.2024.

For Petitioner : Mr.S.Saravanan



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For R1 & R2

: Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

The petitioner, who is estranged wife of respondent, had filed a maintenance case in M.C.No.2 of 2022 under Section 125(1) and (2) of Cr.P.C. The Court below had ordered the said petition on 29.11.2022 directing the respondent to pay a sum of Rs.30,000/- every month as maintenance. The respondent had failed to obey the order of the trial Court. Till date, the respondent is due to the tune of Rs.3,60,000/- i.e., from March-2022 to February-2023. Thereafter, the petitioner had issued notice on 09.12.2022 to the respondent and the same was returned for the reason that 'addressee left' 'no instructions'. Thereafter, the petitioner had filed an application under Section 125(3) of Cr.P.C and warrant was issued. But, the respondent police had not taken any action. Hence, sought for direction for the police to take action.

2. The learned Additional Public Prosecutor submitted a report, wherein it was found that the respondent had appeared before the learned



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Judicial Magistrate No.II, Kovilpatti, and had deposited the entire maintenance arrears amount of Rs.3,60,000/- and thereafter, warrant was recalled.

3. In view of the same, nothing survives for further adjudication in this petition. Accordingly, this Criminal Original Petition is dismissed.

21.01.2025

NCC : Yes/No
Index : Yes / No
Rmk

To

- 1.The District Superintendent of Police,
Thoothukudi District,
Thoothukudi.
- 2.The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

Rmk

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