

Crl.O.P(MD).No.7871 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 29.04.2025

CORAM:

THE HON'BLE MR.JUSTICE **P. DHANABAL**

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Shajahan Babu

.. Petitioner

Vs.

Amreen

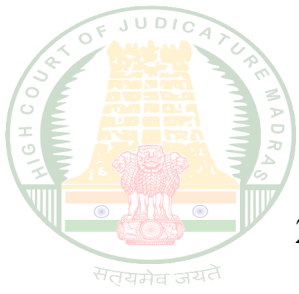
.. Respondent

Prayer : Petition is filed under Section 528 of BNSS to direct the learned Judge, Family Court, Karur, to recall the Non-Bailable Warrant issued as against the petitioner on 22.11.2024 in CrI.M.P.No.139 of 2024 on the file of the Family Court, Karur, on the same day of surrender.

For Petitioner : Mr.R.Boopathi

ORDER

This petition has been filed to direct the learned Judge, Family Court, Karur, to recall the Non-Bailable Warrant issued as against the petitioner on 22.11.2024 in CrI.M.P.No.139 of 2024 on the file of the Family Court, Karur, on the same day of surrender.



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2. According to the petitioner, he married the respondent, Amreen, and out of their wedlock, they were blessed with two children. Thereafter, due to some difference of opinion between them, the petitioner lodged a complaint before the Mayanur Police Station, Karur. His wife filed a Maintenance Petition in M.C.No.45 of 2023 before the Family Court, Karur. Thereafter, the petitioner filed Crl.R.C(MD).No.208 of 2024 before this Court, wherein the petitioner was directed to pay 50% of arrears amount to the credit of M.C.No.45 of 2023. Now, NBW is pending against the petitioner. The petitioner's wife lodged a complaint before AWPS Kulithalai, for which, FIR was registered and final report was also filed before the learned Judicial Magistrate, Karur and the case is pending in C.C.No.207 of 2021. Now, the petitioner is unable to attend CC.No.207 of 2021, because of warrant issued by the Family Court, Karur, in Crl.M.P.No.139 of 2024, on 22.11.2024. Hence, the petitioner has filed this petition.

3. Heard both sides and perused the materials available on record.

4. Considering the prayer sought for in this petition and NBW was issued against the petitioner by the trial Court and the same is pending, it is for the petitioner to appear before the trial Court and file an appropriate



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application for cancellation of NBW. In view of the same, this Court directs the petitioner to appear before the trial Court by filing petition to cancel the NBW issued against him in Cr.M.P.No.139 of 2024. If any such application is filed, the trial Court is directed to consider the same, on merits and in accordance with law, on the same day.

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

29.04.2025

NCC : Yes/No
Index : Yes/No
Rmk

To:

- 1.The Judge, Family Court, Karur.
- 2.The Additional Public Prosecutort,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL,J.

Rmk

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