



CRL OP(MD). No.17636 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 15/10/2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL OP(MD). No.17636 of 2025

R.Murali

... Petitioner

Vs

**Arthi,
D/o.Kumar,**

... Respondent

PRAYER :- Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to set aside the order dated 28.08.2025 passed in M.P.No.3 of 2025 in S.T.C.No.466 of 2025 by the Learned Judicial Magistrate, Uthamapalayam and recall the Non Bailable warrant issued against the petitioner.

For Petitioner : M.Sivakumar,

ORDER

The petitioner seeks to set aside the order passed, by which the petitioner's application to recall the NBW in the absence of the petitioner was dismissed.

1/4



CRL OP(MD). No.17636 of 2025

WEB COPY

2. The petitioner, who was the respondent in D.V.C.No.2 of 2024 on the file of the learned Judicial Magistrate, Uthamapalayam, was directed to pay interim maintenance at the rate of Rs.10,000/-(Rupees Ten Thousand only) per month, compensation of Rs.1,00,000/- (Rupees One Lakh only) to the respondent and to return 8 sovereigns of gold chain. Since he did not make any payment, the respondent has filed S.T.C.No.466 of 2025 before the learned Judicial Magistrate, Uthamapalayam. Summon was issued to the petitioner and he did not appear and therefore, a Non-Bailable Warrant was issued against the petitioner. Thereafter, the petitioner filed M.P.No.3 of 2025 to recall the warrant issued against him and the same was dismissed.

3. Admittedly, the petitioner has not complied with the order passed in D.V.C.No.2 of 2024. However, the learned counsel for the petitioner undertakes to pay a sum of Rs.75,000/- (Rupees Seventy Five Thousand only) to the respondent. Accordingly, the impugned order is set aside with the following conditions:



CRL OP(MD). No.17636 of 2025

a) The petitioner shall pay a sum of Rs.75,000/- (Rupees Seventy Five Thousand only) to the respondent within a period of three weeks from today (i.e on 15.10.2025). On such payment, warrant issued against the petitioner shall be recalled and thereafter, the petitioner shall appear before the trial Court on all hearing dates without fail, either in person or through his counsel. If the petitioner fails to make the aforesaid payment within the time stipulated above, this petition shall stand dismissed without reference to this Court.

4. With the above directions, this Criminal Original Petition is disposed of.

15.10.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
tta

(Note: Issue order copy on 16.10.2025)

To

The Judicial Magistrate, Uthamapalayam

3/4



WEB COPY



CRL OP(MD). No.17636 of 2025

SUNDER MOHAN,J

TTA

**ORDER
IN
CRL OP(MD) No.17636 of 2025**

Date : 15/10/2025