



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Eleventh day of April Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL MP(MD) No.5757 of 2023

IN

CRL OP(MD) No.9242 of 2022

SENTHILNATHAN

... PETITIONER/1st ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
AWPS -PUDUKKOTTAI POLICE STATION,
PUDUKOTTAI DISTRICT.
(CRIME NO.16/2019)

... RESPONDENT/COMPLAINANT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to modify the condition No.5 imposed in Crl.OP(MD) No.9242/2022 dt.19/5/2022 by this Honble Court.

Prayer in CRL OP(MD). 9242/ 2022 :

To call for the entire records pertaining to the order passed in Crl.MP.No.882 of 2022 dt.4/3/2022 by the Principal District and Sessions Court, Pudukkottai to set aside the same and subsequently modify the condition imposed the Crl.MP.No.2156/2021 dated 02.07.2021.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.MANIYARASU K C, Advocate for the petitioner and of M/S.B.THANGA ARAVINDH, Government Advocate (Crl.Side) on behalf of the Respondent, the court made the following order:-

This Criminal Miscellaneous Petition has been filed to modify the condition in condition No.5 imposed in Crl.O.P.(MD)No.9242 of 2022, dated 19.05.2022.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondent.

3.It is seen that this Court earlier reduced the amount as monthly maintenance to Rs.20,000/- , on receipt of the same, the complainant failed to pay even School fees to the child.



Therefore, the petitioner has paid School fees to the tune of Rs.1 Lakh. That apart, the petitioner now had lost his job and return to India.

4.Considering the facts and circumstances of the case, this Court is inclined to reduce the monthly maintenance from Rs.20,000/- to Rs.10,000/-. Accordingly, the condition already imposed on the petitioner is modified to the effect that the petitioner shall deposit a sum of Rs.10,000/- as monthly maintenance to the defacto complainant. All other conditions in the said order dated 19.05.2022 shall remain unaltered.

5.Accordingly, the Criminal Miscellaneous Petition is allowed.

sd/-
11/04/2023

/ TRUE COPY /

/04 /2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

RMK

TO

- 1.THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, PUDUKKOTTAI.
- 2 THE INSPECTOR OF POLICE
AWPS -PUDUKKOTTAI POLICE STATION,
PUDUKOTTAI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL MP (MD) No.5757 of 2023
IN
CRL OP (MD) No.9242 of 2022
Date :11/04/2023

RK/MMS/SAR-2 (19/04/2023) 2P/4C