

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.7.2015

Coram

THE HONOURABLE MR. JUSTICE B. RAJENDRAN

Criminal Revision Petition No. 647 of 2015
and MP.No.1 of 2015

Periyathambi

.. Petitioner/Appellant
1st Respondent

Versus

Krishnaveni

... Respondent/Respondent
Petitioner

Criminal Revision Petition filed under Section 397 and 401 of Cr.P.C. to call for the records of the learned II Additional Sessions Judge, Salem, Salem District in dismissing the appeal filed by the petitioner herein by judgment dated 06.4.2015 and made in Crl.Appeal No.160 of 2014 in confirming the Order passed by the learned Judicial Magistrate, Additional Mahila Court, Salem, Salem District made in CMP No.1119 of 2014 in DVOP No.17 of 2014 dated 15.7.2014 in directing the petitioner herein to pay a sum of Rs.2,500/- per month to her and her minor child each and he is further directed to pay the maintenance allowance to the respondent herein either directly or postal service within the 5th day of every english calendar month without fail from the date of order till the disposal of the main petition.

For Petitioner :Mr.S.Prameswaran

ORDER

This revision has been filed as against the order of the Courts below in ordering a sum of Rs.2,500/- per month as maintenance.

2. The revision petitioner herein is the husband and the respondent is the wife.

3. The facts of the case are as follows:-

The marriage between the petitioner and respondent was solemnized on 13.12.2004, out of the wedlock the respondent gave birth of female child on 18.4.2006. It is alleged that at the time of marriage, the petitioner had demanded dowry from the parents of the respondent. But the parents of the respondent showed their inability. After marriage the respondent lived with the petitioner happily for three months. Thereafter, the petitioner have always

insisted the respondent to bring 20 sovereigns gold and a sum of Rs.2,00,000/- but the same was refused by the parents of the respondent. Therefore, the petitioner often used to pick up quarrel with the respondent wife. When the respondent went to her parental home for delivery, the petitioner did not take the respondent back to the matrimonial home. Though the petitioner took back the respondent long back due to the intervention of the panchayatdars, she was harassed by the petitioner herein. Now the respondent is residing in parental house. While so, the respondent/wife filed a petition under Section 23 (2) Protection of Women of Domestic Violence Act, 2005 before the Judicial Magistrate, Additional Mahila Court, Salem and the same was allowed ordering the petitioner herein to pay a sum of Rs.2,500/- p.m each to the respondent/wife and her child and also directed to pay the maintenance allowance to the respondent directly or postal service within the 5th of every English month without fail till the disposal of the petition. Against which, the petitioner has filed Criminal Appeal No.160 of 2014 and the same was dismissed confirming the order of the learned judicial Magistrate, Additional Mahila Court, Salem. Therefore, the petitioner is before this Court.

4. Today, when the Criminal Revision case is taken up for hearing, after elaborate arguments, the learned counsel for the revision petitioner / husband submits that the petitioner/ husband would be satisfied if some more time is granted to pay the arrears amount as per the orders of the Court below.

5. Considering the above submission, while confirming the order of the Courts below, three months time from today is granted to the petitioner/husband to pay the entire arrears amount. It is made clear that time alone is extended and no further time will be granted to the petitioner/husband to pay the arrears amount. It is also made clear that the petitioner shall continue to pay the maintenance amount as ordered by the Courts below on or before 5th of every English month without fail.

In the result, the Criminal Revision case is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

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Sub Assistant Registrar

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To

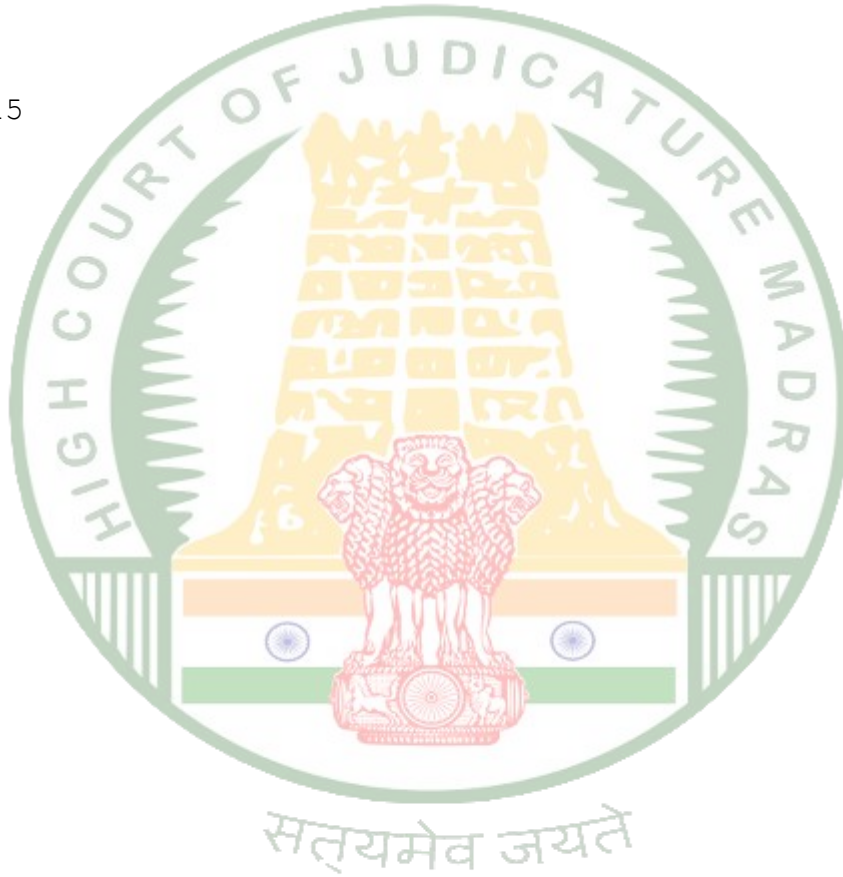
1. The Judicial Magistrate Additional Mahila Court,
Salem.

2. II Additional Sessions Judge, Salem.

+ 1 cc to Mr.S. Prameswaran, Advocate Sr.32778

CrI RC No. 647 of 2015

CTK (CO)
Eu 24.07.15



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