



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2015

CORAM

THE HONOURABLE MR.JUSTICE S.MANIKUMAR

Crl.R.C.No.65 of 2015
and
M.P.No.1 of 2015

Venkatesan @ Shanmugam

.. Petitioner/Respondent

Vs

1. Nirmala Devi.

2. Ambedkar (Minor)

3. Lokeshwari (Minor)

[minors rep. By the mother R1]

.. Respondents/Petitioners

Criminal Revision filed under sections 397 r/w 401 of Criminal Procedure Code to set aside the order in M.C.No.2 of 2008 dated 01.12.2014 on the file of the District Munsif cum Judicial Magistrate Court, Sriperumbathur.

For Petitioner : Mr.G.Saravanan
for M/s.Y.Deva Arul Prasad

O R D E R

Criminal Revision Case is directed against the order made in M.C No.2 of 2008 dated 01.12.2014 on the file of the learned District Munsif cum Judicial Magistrate, Sriperumbudur, directing the petitioner to pay maintenance of Rs.6,000/- per month to the respondents, wife and children.

2. After analysing the evidence on record, the Court below has observed that the petitioner had not refuted the allegations of intimacy with another woman. O.P.No.232 of 2008 filed by the husband for divorce is also pending. Observing that the petitioner has willfully failed and neglected to pay maintenance to his wife and children, the Court below has ordered the respondents to pay a sum of Rs.6,000/- per month, on or before 5th of every succeeding English Calender month.

3. On 29.01.2015, when the matter came up for hearing, learned counsel for the petitioner submitted that the petitioner would pay 50% of the arrears of maintenance i.e, Rs.2,25,000/- within a period of two weeks from 29.01.2015. Placing on record the abovesaid



submission, this Court ordered that the question of considering the stay of the impugned order, would be considered, on condition the petitioner paying the abovesaid amount within the stipulated time. Registry was directed to post the matter on 13.02.2015. On 16.02.2015, when the matter was listed there was no appearance and Registry was directed to post the case on 17.02.2015, under the caption 'for dismissal'. However, it is listed today.

4. On this day, Mr.G.Saravanan, learned counsel representing himself to be the junior counsel attached to the office of the learned counsel on record, M/s.Y.Deva Arul Prasad and N.Elumalai, seeks permission to withdraw the Criminal Revision Case and he has also made an endorsement to that effect.

5. Recording the abovesaid submission and the endorsement so made, the Criminal Revision Case is dismissed as withdrawn. As the petitioner himself has come forward to withdraw the revision case, no liberty is granted to file a fresh revision case on the same cause. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar
Dated:13.3.15

True Copy

Sub Assistant Registrar

To

1. The District Munsif cum Judicial Magistrate, Sriperumbudur.
2. The Public Prosecutor, High Court, Madras.

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krd 18/3

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