



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Crl.O.P.(MD)No.2928 of 2011 and M.P.(MD).No.2 of 2011

V.Nirmal

... Petitioner

Vs.

Suseela

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to call for the documents pertaining to the order passed by the learned District and Sessions Judge, Kanyakumari Division in Crl.R.P.No.20 of 2005 dated 08.06.2010 confirming the order passed by the learned Judicial Magistrate No.I, Kuzhithurai in M.C.No.10 of 2004 dated 13.06.2005 and set aside the same.

For Petitioner : Mr.K.P.Narayanakumar

For Respondent : Mr.S.C.Herold Singh

O R D E R

This Criminal Original Petition is filed to call for the documents pertaining to the order passed by the learned District and Sessions Judge, Kanyakumari Division in Crl.R.P.No.20 of 2005 dated 08.06.2010 confirming the order passed by the learned Judicial Magistrate No.I, Kuzhithurai in M.C.No.10 of 2004 dated 13.06.2005 and set aside the same.

2. The only point raised by the petitioner is that there is a question as to the status of the respondent as wife.

3. This Court cannot go into the proceedings under Section 125 Cr.P.C., that too while exercising the discretionary power under Section 482 of Cr.P.C. The Court below has considered the relevant materials and pass orders to pay maintenance of Rs.500/- only. The proceedings under Section 125 Cr.P.C. is summary proceedings. Hence, the Criminal Original Petition shall stand dismissed. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

1. The District and Sessions Judge, Kanyakumari Division.

2. The Judicial Magistrate No.I, Kuzhithurai.

3. The Chief Judicial Magistrate, Kanyakumari at Nagercoil.

+1cc to MR.S.C.HEROLD SINGH, Advocate in SR.No. 27617

AkV

SR/PPS : 01.07.2015 : 1p/5c

<https://hcservices.ecourts.gov.in/hcservices/>

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