

HONOURABLE SRI JUSTICE RAJA ELANGO

Criminal Revision Case No.1855 of 2015

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ORDER:

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This revision is filed against the order dated 16-07-2015 passed in CrI.M.P.No.490 of 2015 in M.C.No.9 of 2015 by the Principal Judicial First Class Magistrate, Jangaon.

The Respondent No.1 herein and her son filed M.C.No.9 of 2015 claiming maintenance of Rs.3,000/- per month to the Respondent No.1 herein and Rs.1,500/- per month to her son. The Court below by order dated 24-03-2005 allowed the M.C. directing the petitioner herein to pay maintenance of Rs.1,500/- per month to the Respondent No.1 herein from the date of the petition till 03-12-2014, stating that thereafter the Iddat period starts. Similarly, the petitioner here is also directed to pay Rs.1,000/- per month to the son of the Respondent No.1 herein.

Thereafter, the Respondent No.1 herein and her son filed CrI.M.P.No.490 of 2015 under Section 125(3) Cr.P.C. against the petitioner herein praying to pass orders for payment of maintenance amount of Rs.27,500/- for 11 months i.e., from 05-06-2013 to 06-05-2014 by issuing a warrant against the petitioner for the said amount. The court below by the impugned order dated 16-07-2015 issued the Distress Warrant against the petitioner herein. Aggrieved by the same, the petitioner filed the present

revision.

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Heard and perused the material available on record.

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Having regard to the facts and circumstances of the case, this Criminal Revision Case is disposed of as follows :

The petitioner is directed to pay 50% of the arrears on or before 20-09-2015, failing which, the trial Court is at liberty to proceed with the matter in accordance with law.

The distress warrant issued by the trial Court shall stand suspended up to 20-09-2015.

Consequently, the miscellaneous petitions pending, if any, in this revision shall stand closed.

JUSTICE RAJA
ELANGO

Dated: 03.09.2015

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