

Bail Slip

The Petitioner/Accused namely Karthik, S/o. Subramani, was directed to be released on bail as per the order of this court dated 18.06.2010 in Crl.MP.Nos 1&1 of 2010 in Crl.R.C.Nos.585 & 586/2010 on the file of this court.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Criminal Revision Nos.585 & 586 of 2010

Karthik ... Petitioner in both the cases

Vs

Minor K.Vinayagam
rep. by his grand Mother
T.M.T.Kuppammal

...Respondent in both the cases

Prayer in Crl.R.No.585 of 2010 :-

This Criminal revision is filed under Section 397 & 401 of Cr.P.C., to call for the entire records in connection with Crl.M.P.No.1699 of 2007 in M.C.No.48 of 2003 dated 08.06.2010 on the file of the learned Chief Judicial Magistrate, Vellore, Vellore District and set aside the same.

Prayer in Crl.R.No.586 of 2010 :-

This Criminal revision is filed under Section 397 & 401 of Cr.P.C., to call for the entire records in connection with Crl.M.P.No.1338 of 2008 in M.C.No.48 of 2003 dated 08.06.2010 on the file of the learned Chief Judicial Magistrate, Vellore, Vellore District and set aside the same.

For petitioner : Mr.E.Kannadasan

For Respondent : Mr.P.G.Perumal Pandian.

O R D E R

1. These revisions have been filed challenging the order passed by the learned Chief Judicial Magistrate, Vellore in Crl.M.P.Nos.1699 of 2007 and 1338/2008, dated 08.06.2010.

2. Earlier, the respondent and his mother, Sumathi, filed a petition under Section 125 Cr.P.C. before the Judicial Magistrate, Vellore, seeking maintenance of Rs.1000/- to each of them. Pending application, the mother died and the trial Court directed the revision petitioner to pay a sum of Rs.1000/- per month to the respondent herein. Since the above order has not been complied with, the respondent herein filed two applications in Crl.M.P.No.1699 of 2007 seeking arrears of maintenance from 01.10.2003 to 05.10.2007 and another application in Crl.M.P.No.1338 of 2008 for arrears of maintenance for a period of 11 months.

3. The Court below, allowed the application and sentenced the petitioner to undergo simple imprisonment for 48 months under Section 125(3) Cr.P.C. in Crl.M.P.No.1699 of 2007 and simple imprisonment for 11 months in Crl.M.P.No.1338 of 2008 and the Court below ordered both the sentences to run concurrently. Challenging the above orders, the present revisions have been filed.

4. Today when the matter is taken up for hearing, the petitioner and the respondent have appeared before the Court and the learned counsel appearing for the respondent submitted that pending revision, the dispute has been settled between the parties and submitted that the petitioner has paid a sum of Rs.65000/- to the respondent and the respondent also received the sum.

5. In the above circumstances, since the entire arrears amount has been paid to the respondent, in the interest of justice, these criminal revisions are allowed and the order passed by the trial court in Crl.M.P.Nos. 1699 of 2007 and 1338/2008, dated 08.06.2010 in M.C.No.48 of 2003 are set aside.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

mrp
To
The Chief Judicial Magistrate,
Vellore.

+ 1 cc to M/s. E. Kannadesan, Advocate SR.75983

Crl.R.C.No.585 & 586 of 2010

NRI (CO)
Eu 07.03.17