

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP.No.18874 of 2016
and CrI.MP.No.8876 of 2016

1.Shanthi Chandrashekar
2.Chandrashekar.M ... Petitioners

Vs

Aditi Suresh ... Respondent

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records pertaining to M.C.No.33 of 2016 on the file of the XVII Judicial Magistrate Court at Saidapet and to quash the same with respect to 1st & 2nd petitioner.

For Petitioners :Ms.Kanimozhi
for M/s.Nathan & Associates

For Respondent :Mrs.Auxilia Peter

ORDER

This Criminal Original Petition has been filed praying to quash the proceedings in MC.No.33 of 2016 pending on the file of the XVII Judicial Magistrate Court, Saidapet with respect to the petitioners herein.

2. On 22.09.2016, this Court has passed the following order :

" On 24.08.2016, this court has passed the following order:

"Notice of Motion returnable by 21.09.2016. Private notice is also permitted.

2.The petitioners shall ensure that their son, namely, Aravind Chandrasekaran/husband of the respondent deposits a sum of Rs.5,000/- (Rupees five thousand only) before 5th of every English calendar month to the credit of M.C.No.33 of 2016 on the file of the learned XVII Metropolitan Magistrate, Saidapet as ad-interim maintenance, without prejudice to both the parties. On such deposit, the respondent-wife is entitled to withdraw the same.

3. For the month of August 2016, the said sum of Rs.5,000/- (Rupees five thousand only) shall be deposited on or before 31.08.2016.

4. On the aforesaid condition, dispense with is granted for the petitioners. If the deposit is not made, the Trial Court can insist upon the presence of the petitioners.

Post on 21.09.2016."

2. The matter was taken up today (22.09.2016) "for reporting compliance".

3. The learned counsel for the petitioners submitted that, when this Criminal Original Petition was filed before this court, the case in M.C.No.33 of 2016 was pending on the file of the XVII Metropolitan Magistrate, Saidapet and now, the same has been transferred to the file of Mahila Court, Allikulam, Egmore and therefore, the petitioner is not able to comply with the order passed by this Court dated 24.08.2016. The learned counsel for the petitioners further submitted that the petitioners are willing to send the maintenance amount the by way of Demand Draft to the respondent viz. Mrs. Adithi Suresh on or before 29.09.2016.

4. Post the matter on 04.10.2016 for 'reporting compliance'. The Interim order already granted by this court on 24.08.2016 shall continue till then."

3. Accordingly, when the matter is posted today under the caption "for reporting compliance", the learned counsel for the petitioner sought permission of this Court to withdraw this petition and she has also made an endorsement to that effect.

4. In view of the above endorsement made by the learned counsel for the petitioner, this Criminal Original Petition is dismissed as withdrawn. Consequently, connected miscellaneous petitions are closed.

Sd/-
Asst. Registrar (CS III)

/true copy/

Sub Asst. Registrar

ds

To

The XVII Metropolitan Magistrat, Saidapet
Chennai

1 cc to M/s. Auxilia Peter, Advocate, Sr. 57639

Crl.OP.No.18874 of 2016

GM(CO)
kk 25/10



WEB COPY