

CrI.M.P.No.9072 of 2016
in CrI.O.P.No.16483 of 2016

P.N.PRAKASH, J.

On 02.08.2016, this Court had passed the following orders :-

"Notice of motion returnable by 30.08.2016.
Private notice is permitted.

2. The petitioners shall ensure that Manoj, husband of the respondent deposits a sum of Rs.5,000/- before 5th day of every English calendar month to the credit of D.V.A.No.4 of 2016 on the file of the learned Judicial Magistrate No.III, Coimbatore 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/- shall be deposited on or before 12.08.2016.

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

Post on 30.08.2016."

2. It is the grievance of the petitioner that when they came forward to deposit Rs.5,000/-, the Judicial Magistrate No.III, Coimbatore refused to receive the same from them on the ground that Manoj, husband of the respondent should deposit the amount.

3. The learned Judicial Magistrate cannot be said to be totally wrong, but however, could have proceeded further by understanding the spirit of the order rather than going by letter of the order. The order was intended to provide minimum succor to Vandhana and her children.

P.N.PRAKASH, J.

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4. Under such circumstances, the learned Judicial Magistrate No.III, Coimbatore is directed to accept the deposit of Rs.5,000/- by the petitioners as directed by this Court in the order dated 02.08.2016.

5. For the month of August and September 2016, the sum of Rs.10,000/- shall be deposited before 10th of September, 2016 to credit of D.V.A.No.4 of 2016, and for the subsequent months, the amount shall be deposited before 5th of every month, as directed by this Court in the order dated 02.08.2016. On such deposit, the interim order already granted by this Court shall continue.

30.08.2016

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NOTE TO OFFICE:

Issue order copy on 01.09.2016

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