

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2016

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P.No.21365 of 2016

and

Crl.MP.Nos.9905 & 9906 of 2016

1. Jeya
2. S.Kannan
3. Amutha

...Petitioners

Vs.

Gomathi

.... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C to call for the entire records in respect of MC DVC No.9/2016 on the file of learned Judicial Magistrate, Gudiyatham and quash the same.

For Petitioners : Mr.D.Rajagopal

O R D E R

This criminal original petition has been filed to call for the entire records in respect of MC DVC No.9/2016 on the file of learned Judicial Magistrate, Gudiyatham and quash the same.

2. On 20.09.2016, this Court passed the following order:-

Notice of motion returnable by
18.10.2016. Private notice is also
permitted.

2. The petitioners shall ensure that Shankaran/husband of the respondent deposits a sum of Rs.5,000/- before 5th of every English calendar month to the credit of M.C. D.V.C.No.9 of 2016 on the file of the Judicial Magistrate, Gudiyatham, 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 September 2016, the said sum of Rs.5,000/- shall be deposited on or before 30.09.2016.

4. On the afore stated condition, the personal appearance of the petitioners is dispensed with. If the deposit is not made, the Trial Court can insist upon the presence of the petitioners. The pendency of this case will not be a bar for the trial Court to proceed further with the trial.

Post on 18.10.2016.

3. Today, when the matter was taken up for hearing, it is reported that the petitioners have not complied with the order dated 20.09.2016. Hence the Criminal Original Petition No.21365 of 2016 is dismissed for non-compliance. Consequently, connected miscellaneous petitions are closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

mk
To

1.The Judicial Magistrate Gudiyatham

+1 cc to Mr.D.Rajagopal Advocate sr 63206

Cr1.O.P.No.21365 of 2016

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