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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

CrI.O.P(MD)No.140 of 2011

and

M.P(MD)Nos.1 and 2 of 2011

K.Jebaraj

... Petitioner/ 3rd Respondent

Vs.

1.The Protection Officer,
District Social Welfare Officer,
Tirunelveli.

2.E.Jabachristy

... Respondents/Complainants

PRAYER: Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the proceedings in M.C.No.26 of 2010 on the file of the Judicial Magistrate, Valliyoor, Tirunelveli District and quash the same insofar as the petitioner is concerned.

For Petitioner : Mr.V.Sasikumar

For Respondents : Mrs.S.Prabha,
Government Advocate for R.1
Mr.V.Venkatesaperumal for R.2

O R D E R

The petitioner is the husband of the second respondent and the petition for divorce was also dismissed. In M.C.No.26 of 2010 pending on the file of the Judicial Magistrate, Valliyoor, Tirunelveli District, the second respondent prays for maintenance. It is the settled position of law that as long as the marital relationship continues, even after divorce, the wife/divorced wife is entitled to maintenance and in the light of the said fact, this Court is of the view that there is no merit in this petition and therefore, this Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petitions are dismissed.

Sd/-

Assistant Registrar(Writs)

/True Copy/



To

1. The Protection Officer,
District Social Welfare Officer,
Tirunelveli.
2. The Court of Judicial Magistrate,
Valliyoore, Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cr1.O.P (MD) No.140 of 2011
and
M.P (MD) Nos.1 and 2 of 2011

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ANR/KP/02.12.2016/2P/4C

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