

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Eleventh day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice R. SURESH KUMAR

CRIMINAL MISCELLANEOUS PETITION No.9530 of 2017

IN CRL RC.597/2017

A.SELVAKUMAR,

[PETITIONER]

Vs

1 S.ARIVUMANI,

[RESPONDENTS]

2 MINOR.LAVANYA,

MINOR REP BY HER GUARDIAN

AND MOTHER S.ARIVUMANI

Petition praying that in the circumstances stated therein the High Court will be pleased to extend the time granted to the petitioner in Crl.M.P.No.5267/2017 in Crl.R.C.No.597 of 2017 by its order dated 13.04.2017 for a further period of 15 days.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.I.C.VASUDEVAN, Advocate for the petitioner and of M/S.S.KAITHAMALAI KUMARAN, Advocate for the 1st and 2nd Respondents the court made the following order:-

This Court, by order dated 13.04.2017, while granting interim order of stay of impugned order, has imposed a condition on the petitioner to deposit 50% of the arrears of maintenance amount to the credit of M.C.No.41 of 2014 on the file of the learned Family Court, Erode within a period of six weeks from the date of that order. The petitioner was also directed to pay a sum of Rs.3,000/- per month towards the current maintenance, as ordered by the Court below, to the second respondent, on or before 5th of every English calendar month.

2. Though such an order was passed on 13.04.2017, whereby only six weeks time was granted to comply with the said order by depositing 50% of the arrears of the maintenance amount to the Court below, only today, the learned counsel for the petitioner has produced a banker's cheque (Demand Draft) dated 04.08.2017, bearing D.D.No.127109, drawn in the name of the Family Court, Erode for a sum of Rs.1,53,400/- (Rupees one lakhs fifty three thousand four hundred only) drawn at the State Bank of India, Erode.

3. In view of the bona fide shown by the petitioner, this Court permits the petitioner to deposit the D.D. before the learned

Family Court, Erode within a period of one week from the date of the receipt of a copy of this Order and it is further directed that the petitioner shall continue to pay a sum of Rs.3,000/- (Rupees three thousand only) towards current maintenance, as ordered by this Court on 13.04.2017, to the second respondent.

4. If the said amount of Rs.1,53,400/- is deposited before the said Court, as already permitted by the earlier order of this Court, the second respondent is permitted to withdraw the same and if any payment out petition is filed by the second respondent, the Court below shall dispose of the same immediately.

5. The interim order of stay granted on 13.04.2017 is made absolute. Post the main revision case for hearing in the usual course.

-sd/-
11/08/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE FAMILY COURT,
ERODE.

+1 C.C. to M/S.I.C.VASUDEVAN Advocate on payment of necessary charges-Sr.15396

+1 C.C. to M/S.S.KAITHAMALAI KUMARAN, Advocate on payment of necessary charges-Sr.15495

Order

in
CRL MP.9530/2017

in
CRL RC.597/2017

Date :11/08/2017

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format
THS : 16.08.2017