

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Sixteenth day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice R. SURESH KUMAR

CRIMINAL MISCELLANEOUS PETITION No.9727 of 2017

IN CRL RC.1033/2017

G.UMAPATHY

[PETITIONER]

Vs

BANUMATHY

[RESPONDENT]

Petition praying that in the circumstances stated therein the High Court will be pleased to grant an order of Interim Stay on all further proceedings in Crl.M.P.No.244 of 2012 in M.C.No.33 of 2008 pending on the file of Family Court, Puducherry pending disposal of the above Crl.R.C.No.1033 of 2017.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.M.GNANASEKAR, Advocate for the petitioner the court made the following order:-

This petition is filed to stay further proceedings of the order passed in Crl.M.P.No.244 of 2012 in M.C.No.33 of 2008, on the file of the Family Court, Puducherry.

2. The learned counsel for the petitioner submitted that since the petitioner is a senior citizen, aged 75 years, he is not able to comply with the order of making monthly payment of Rs.2,500/- towards maintenance and with the result, since the arrears of maintenance was already mounting, in order to show his bona fides, he would make some substantial payment. The learned counsel fairly submitted that the total arrears from 2012 till date would come to Rs.1,50,000/-, and out of the said amount, already a sum of Rs.50,000/- was paid.

3. Considering the said submissions, this Court is inclined to grant an interim order of stay on condition that the petitioner shall make a further payment of Rs.50,000/- to the respondent within a period of two weeks from the date of receipt of a copy of this order. It is made clear that if this condition is not complied with, within the time stipulated herein, the order of stay would stand automatically vacated without reference to this Court.

-sd/-
16/08/2017

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

THE FAMILY COURT,
PUDUCHERRY

C.C. to M/S.M.GNANASEKAR Advocate on payment of necessary charges Sr.15488

Order

in
CRL MP.9727/2017

in
CRL RC.1033/2017

Date :16/08/2017

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rvr 23/08/2017