



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.07.2017**

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THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

**Crl.R.C. (MD) No.287 of 2016
and
Crl.M.P (MD) No.3881 of 2016**

Appanraj ... Revision Petitioner/Petitioner/
Respondent

-Vs-

1.Saradha Mariyal @ Mariyal @ Mariammal
2.Minor Godson
3.Minor Goodson ... Respondents/Respondents/
Respondents

Prayer : Criminal Revision Case filed under Section 397 read with 401 of the Code of Criminal Procedure, to call for the entire records relating to the impugned order of attachment in Crl.M.P.No.6629 of 2012 in M.C.No.11 of 2007, dated 02.04.2016 on the file of the learned District Munsif cum Judicial Magistrate, Bodinayakanur, Theni District and to set aside the same.

For Petitioner : Mr.D.Saravanan

For Respondents : No appearance

ORDER

The revision has been filed against the order of attachment of the petitioner's salary for recovery of arrears of maintenance in Crl.M.P.No.6629 of 2012 in M.C.No.11 of 2007, dated 02.04.2016 on the file of the learned District Munsif cum Judicial Magistrate, Bodinayakanur, Theni District.

2.The respondents are the wife and children of the petitioner. Earlier, the respondents have filed a petition under Section 125 Cr.P.C., in M.C.No.11 of 2007 on the file of the learned District Munsif cum Judicial Magistrate, Bodinayakanur, Theni District, seeking maintenance and the same has been allowed directing the petitioner to pay a sum of Rs.1,000/- each to the respondents. Since the petitioner did not pay the arrears of maintenance, the respondents filed a petition under Section 125(3) Cr.P.C., in Cr.M.P.No.6629 of 2012 to attach the salary of the petitioner and the Court below allowed the application attaching the salary. Challenging the same, the present revision has been



filed.

3. Even though notice was served on the respondents and their names have been printed in the cause-list, none appeared for them.

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4. The learned counsel appearing for the petitioner filed an affidavit stating that pursuant to the order of attachment, the entire arrear amount of Rs.1,86,000/- has been recovered from the petitioner's salary as on May, 2017 and the learned counsel for the petitioner also submitted that the respondent also withdrawn the amount.

5. Recording the above statement and since the entire arrear amount has been paid, this Criminal Revision Case is closed and the petitioner is directed to pay the future maintenance to the respondents, without any default. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar

To

The District Munsif cum Judicial Magistrate,
Bodinayakanur,
Theni District.

+1 cc to Mr.D.Saravanan , Advocate in SR.No. 68147

ps/sm

AE/KP/SAR2/21.08.2017/2P/3C

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