

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2018

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.R.C.No.695 of 2011

and

M.P.No.1 of 2011

Ijas basha ... Petitioner/Respondent

...Vs...

1.Almas

2.Minor Riyash Respondents/Petitioners

Criminal Revision case filed under Section 397 and 401 of Cr.P.C. to set aside the judgment dated 06.08.2007 made in M.C.No.4 of 2007 on the file of the Family Court, Salem.

For Petitioner : Mr.S.Sivakumar

For Respondents : No Appearance

O R D E R

This Criminal Revision Petition has been filed against an order passed in M.C.No.4 of 2007 dated 06.08.2007 on the file of the Family Court, Salem. The respondents wife and minor child have filed a petition for maintenance under Section 125 of CrPC claiming for maintenance of a sum of Rs.2,000/- [Rupees Two thousand only] each from the petitioner who is the husband. Inspite of notice the petitioner did not appear before the Court below and he was set ex-parte. Therefore, the Court below took into consideration the averments made in the petition and also the oral evidence of the 1st respondent who examined herself as PW-1 and the documents that were marked at the time of evidence to prove the claim allowed the petition.

2.It is seen from the records that the petitioner in spite of notice has not participated in the proceedings and the Court below after being convinced about the claim for maintenance made by the respondents has fixed the amount based on the materials that were placed before the Court.

3.The learned counsel for the petitioner would submit that proper notice was not served on him and that there was no effective representation made from his side. This Court is not convinced with the reasons put forth by the learned counsel for the petitioner and there are absolutely no grounds to interfere with the order of the Court below.

4.In these circumstances, this Criminal Revision Petition stands dismissed. Consequently, the connected miscellaneous petition is closed.

Kp

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

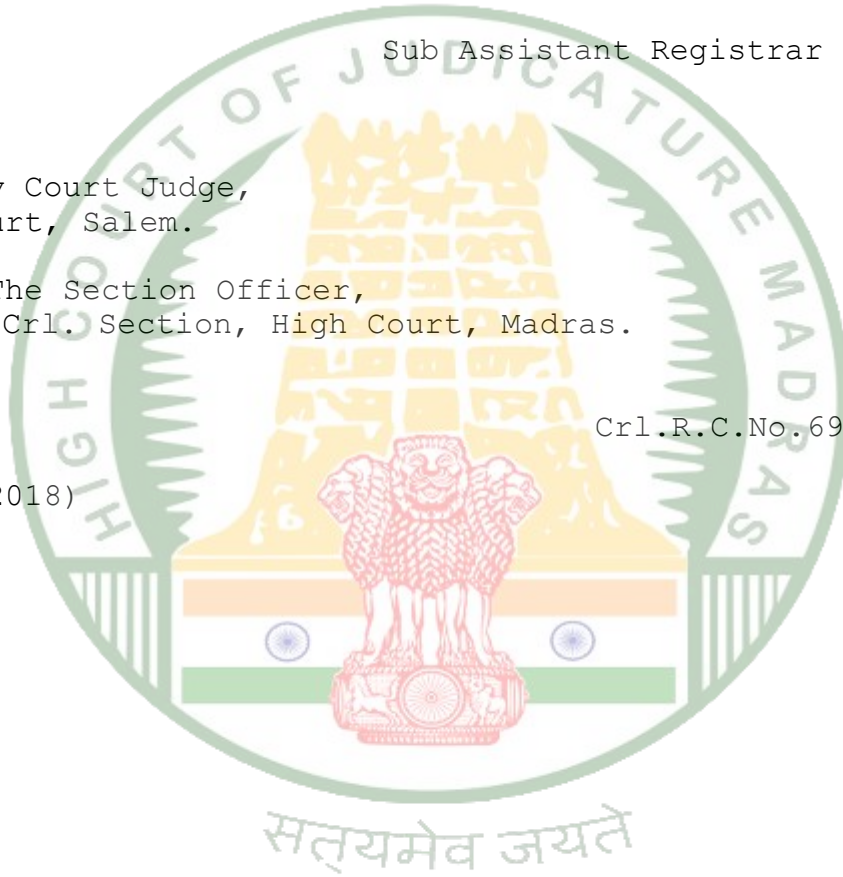
To

The Family Court Judge,
Family Court, Salem.

Copy to: The Section Officer,
Crl. Section, High Court, Madras.

Crl.R.C.No.695 of 2011

CNR(CO)
EU(28/06/2018)



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