

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2018

CORAM :

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CRL.RC.Nos.678 and 808 of 2018

AND

CRL M.P.No.7920 and 9180 of 2018

A.Ramkumar
S/o.Andiappan

...Petitioner
in Crl.R.C.No.678/2018
and

...Respondent
in Crl.R.C.No.808/2018

Versus

1.N.Karthika

2.Minor R.Samyuktha
Rep. by her mother N.Karthika

3.Minor R.Sachidhanandan
Rep. by his mother N.Karthika

...Respondents
in Crl.R.C.No.678/2018 and
...Petitioners
in Crl.R.C.No.808/2018

COMMON PRAYER:Criminal Revision petitions filed under Section 397 and 401 of Criminal Procedure Code, to call for the records and set aside the order made in C.A.No.192 of 2017 dated 06.04.2018 passed by the learned V Additional District and Sessions Judge, Coimbatore, confirming the order made in C.M.P.No.6069 of 2016 in D.V.A.No.13 of 2016 dated 20.06.2017 passed by the Judicial Magistrate No.1, Coimbatore.

Petitioner in Crl. R.C.No. 678/18
and

Respondents in Crl. R.C.No.808/18: Mr.K.S.Karthik Raja

Petitioner in Crl.R.C.No.808/18
and

Respondents in Crl.Rc.No.678/18 : Mr.R.Tholgappian

COMMON ORDER

These Criminal Revision Petitions have been filed seeking to set aside the order made in C.A.No.192 of 2017 dated 06.04.2018 passed by the learned V Additional District and Sessions Judge, Coimbatore, confirming the order made in C.M.P.No.6069 of 2016 in D.V.A.No.13 of 2016 dated 20.06.2017 passed by the Judicial Magistrate No.1, Coimbatore.

2.The wife and children, who are the respondents in Criminal Revision No.678 of 2018 and petitioners in Criminal Revision No.808 of 2018, have filed a Domestic Violence Case in D.V.A.No.13 of 2016 before the learned Judicial Magistrate No.1, Coimbatore, seeking for maintenance, residential and protection rights. Though, the Court below refused to award maintenance, however awarded protection order and interim residential order in favour of the respondents herein, as against which the present revision has been filed.

3.Heard both sides.

4.The learned Senior counsel appearing for the wife/petitioner in Crl.R.C.No.808 of 2018 consented for taking the matter for final disposal and agreed for an interim arrangement. The learned counsel appearing for the husband/respondent in Crl.R.C.No.678 of 2018 on instructions agreed to pay a sum of Rs.40,000/- as monthly maintenance to the petitioner/wife and minor children. The learned counsel appearing for the wife accepted for the above arrangement. Both the learned counsels requested this Court to issue direction to the lower Court to complete the proceedings in D.V.A.No.13 of 2016 within a stipulated time.

5.Considering the limited request made by both counsels, this Court is inclined to pass the following orders:

(i)The petitioner/husband in Crl.R.C.No.678 of 2018, without prejudice to his rights in the main D.V.A., proceedings is directed to pay a sum of Rs.40,000/-(Rupees Forty Thousand only) as monthly maintenance and also residential rights to the respondents/wife and children for a period of three months.

(ii)The petitioner/husband is directed to pay Rs.40,000/-(Rupees Forty Thousand only) for a period of three months on or before 5th of every english calendar month, starting from November 2018 onwards.

(iii)The learned Judicial Magistrate-I, Coimbatore, is hereby directed to complete the proceedings in D.V.A.No.13 of 2016, within a period of three months from the date of receipt of copy of this order.

6.With the above directions, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rm

To

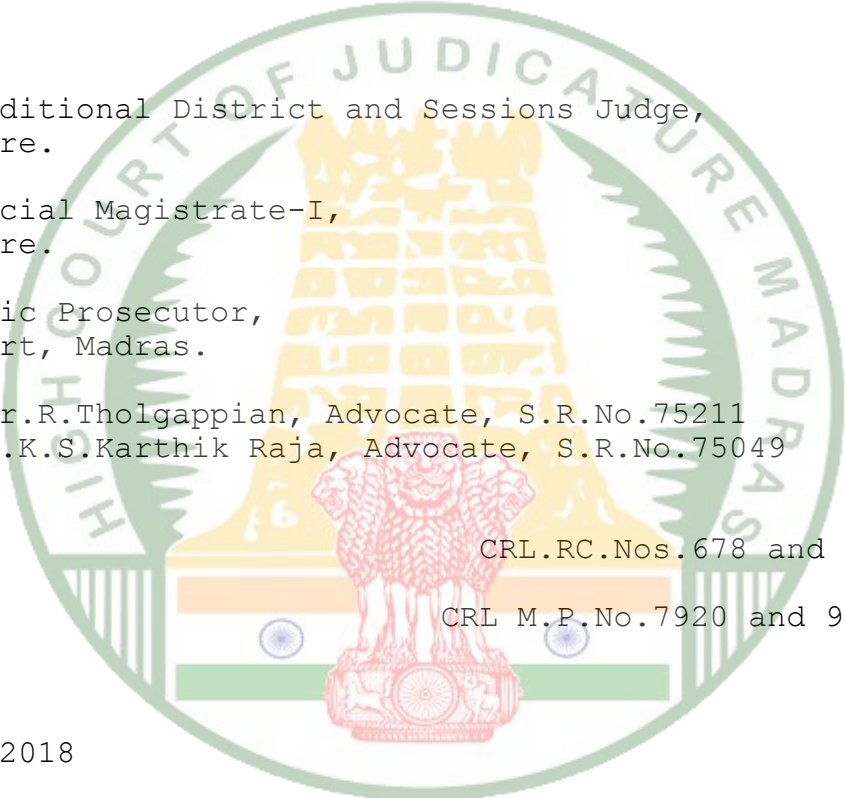
- 1.The V Additional District and Sessions Judge,
Coimbatore.
- 2.The Judicial Magistrate-I,
Coimbatore.
- 3.The Public Prosecutor,
High Court, Madras.

+2ccs to Mr.R.Tholgappian, Advocate, S.R.No.75211
+1cc to Mr.K.S.Karthik Raja, Advocate, S.R.No.75049

CRL.RC.Nos.678 and 808 of 2018
AND
CRL M.P.No.7920 and 9180 of 2018

SSI (CO)

rrs 12/12/2018



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