

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2018

CORAM:

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P. No.5222 of 2014

and

M.P.Nos.1 & 2 of 2014

P. Arunachalam

.. Petitioner

vs .

1. Rajeshwari

2. Sridhar, minor

Rep. by his mother natural guardian

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the order made in Crl.R.C.No.8 of 2011 on the file of IV Addl. District and Sessions Judge, Ponneri dated 26.08.2013 confirming the order in M.C.No.1 of 2004 on the file of Judicial Magistrate-I, Ponneri.

For Petitioner : Mr. K. G. Vithianandam

For Respondents: No appearance

ORDER

This petition has been filed challenging the order passed by the Court below fixing the monthly maintenance at Rs.2,000/- to be paid to the wife, and Rs.1,500/- payable to the minor child. This order was challenged by the petitioner by way of filing a revision in Crl.R.C.No.8 of 2011, before the IV Additional District and Sessions Court, Ponneri. The revisional Court on consideration of the entire facts and circumstances has confirmed the order passed by the Court below.

2. This Court is not able to find any illegality or infirmity in the order passed by the Court below. This Court cannot exercise its jurisdiction under Section 482, unless this Court is able to find an apparent perversity in the order passed by the Court below. The Court below has fixed a reasonable maintenance amount payable by the petitioner. This criminal OP cannot be converted into a second revision since the same is a bar under Section 397(2) of Cr.P.C.

3. In view of the above, this Court does not find any merits in the criminal Original Petition. Accordingly, the Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petitions are dismissed.

Sd/-
Assistant Registrar (CS-VI)

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Sub Assistant Registrar

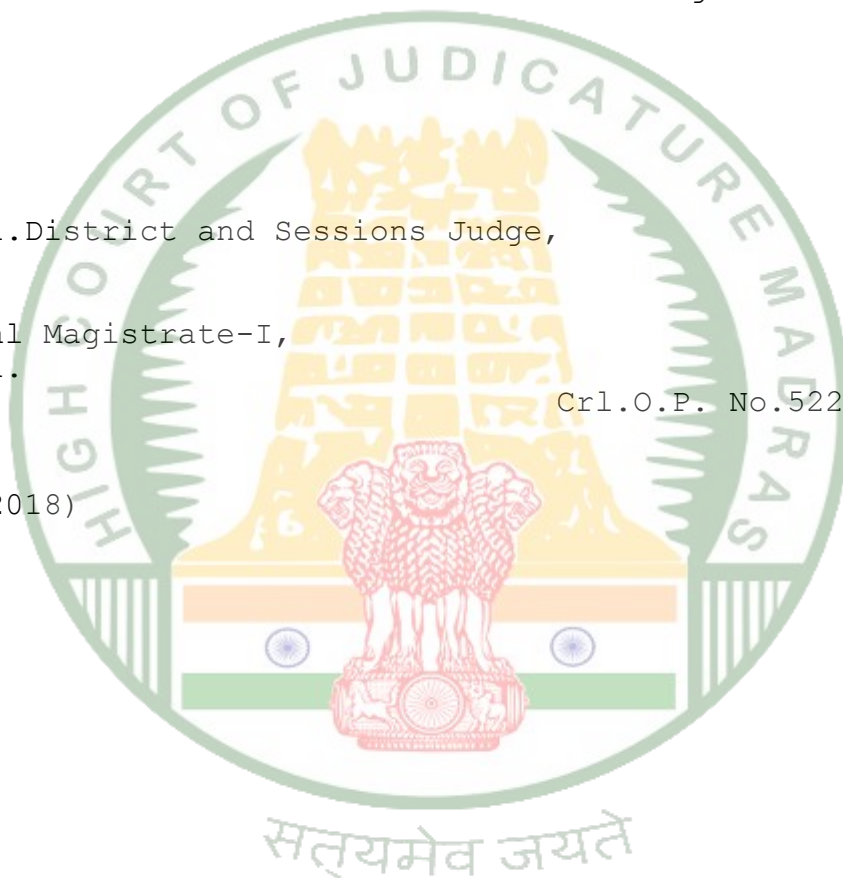
KP

To

1. IV Addl. District and Sessions Judge,
Ponneri.
2. Judicial Magistrate-I,
Ponneri.

Crl.O.P. No.5222 of 2014

RK (CO)
EU (12/12/2018)



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