

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.12.2018

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.18351 of 2014
and M.P.No.1 of 2014

S.Jayachandran

...Petitioner

-Vs-

V.Manimegalai

... Respondent

Prayer: Criminal Original petition filed under Section 482 of the Code of Criminal Procedure, to set aside the order passed by the learned District Judge of District Court No.II, Kancheepuram, in C.R.P.No.4 of 12 dated 21.04.2014 confirming the order passed by the learned Judicial Magistrate No.II, Kancheepuram, in M.C.No.2 of 2008 dated 19.04.2012 by allowing this Criminal Original Petition.

For Petitioner : M/s.M.Srividya

For Respondent : Mr.G.K. Sekar

ORDER

This Criminal Original Petition has been filed against an order of maintenance granted by the Judicial Magistrate No.II, Kancheepuram, fixing the maintenance for a sum of Rs.7,500/- per month from the date of filing of the petition. This order has been confirmed by the learned Sessions Judge No.II, Kancheepuram by an order dated 21.04.2014. This has now been put to challenge this Court for filing this Criminal Original Petition.

2. The main ground on which the petition has been filed is that the respondent had gone out of the matrimonial home in the year 1986 itself and earlier the respondent had filed M.C.No.1 of 1990 and the same was also withdrawn. Thereafter, in the year 2008, the respondent has chosen to file this petition seeking for maintenance.

3. Both the Courts below have taken into consideration the entire facts of the case and also evidence placed on record. This Court while exercising of its jurisdiction under Section 482 Cr.P.C., cannot reappreciate the evidence, unless this Court

is able to find any illegality or infirmity in the orders passed by both the Courts below. This Court does not find any ground to interfere with the order passed by the Courts below.

4. In the result, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

LPP/vsa

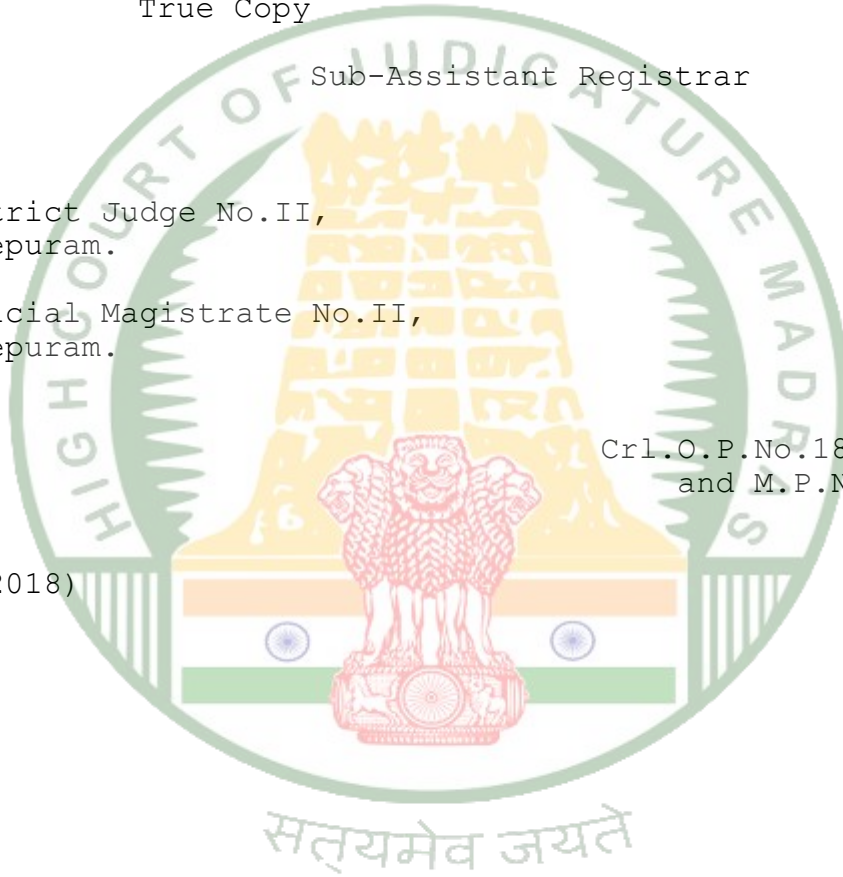
To

1.The District Judge No.II,
Kancheepuram.

2.The Judicial Magistrate No.II,
Kancheepuram.

Crl.O.P.No.18351 of 2014
and M.P.No.1 of 2014

AK(CO)
SP(21/12/2018)



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