



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.07.2018

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THE HONOURABLE MRS. JUSTICE R. THARANI

Crl. R.C.(MD)No.154 of 2018

1.S.Joseph Dennis Sahayam

2.Margret

.. Petitioners/Petitioners/Appellants/
Respondents

Vs.

1.Maria Grace

2.J.Anto Ansalya

..Respondents/Respondents/Respondents/
Petitioners

Prayer : This revision case is filed under Sections 397 read with 401 of Cr.P.C., to call for records pertaining to order passed in Crl.M.P.No.2154 of 2017 in Unnumbered C.A. Of 2017 on the file of the Sessions Court, Kanyakumari District at Nagercoil, dated 05.02.2018 against D.V.O.P.No.2 of 2015 on the file of the Judicial Magistrate, Ereniel, dated 05.11.2016 and set aside the same.

For Petitioners

: No appearance

For Respondents

: Mr.Ka.Raamakrishnan

ORDER

This Criminal Revision Case has been filed challenging the order passed in Crl.M.P.No.2154 of 2017 in Unnumbered C.A. of 2017 on the file of the Sessions Court, Kanyakumari District at Nagercoil, dated 05.02.2018 against D.V.O.P.No.2 of 2015 on the file of the Judicial Magistrate, Ereniel, dated 05.11.2016.

2.When the matter came up for hearing on 21.06.2018, this Court passed an order as follows:

"On the side of the respondent, it is stated that the petitioner failed to comply the condition and did not deposit a sum of Rs.3,90,000/- (Rupees Three Lakh and Ninety Thousand only) as per the direction of this Court.

2.By order dated 19.03.2018, this Court has directed the first petitioner/husband to deposit a sum of Rs.3,90,000/- (Rupees Three Lakh and Ninety Thousand



only) on or before 16.04.2018 and 'for reporting compliance' on 17.04.2018.

3. On 17.04.2018, at the request of the counsel on both sides, the matter was adjourned.

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4. When the matter was called today (21.06.2018), there was no representation on the side of the petitioner and the respondent side counsel clearly states that the order was not complied with by the petitioner.

5. The Registry is directed to address the District Munsif-cum-Judicial Magistrate, Eraniel and to get instructions whether the amount is paid by the petitioner, on or before 06.07.2018.

6. Call on 09.07.2018."

3. When the matter posted on 09.07.2018, both the counsel present and on the request of the learned counsel for the petitioner, the matter was again directed to be listed today.

4. Today (16.07.2018) when the matter is taken up for hearing, there is no representation on behalf of the petitioner. The learned counsel for the respondents is present. A letter from the learned Principal District Munsif-cum-Judicial Magistrate, Eraniel, was received by this Court to the effect that no amount was deposited in the Court relating to the case in CrI.R.C.(MD) No.154 of 2018 of this Court.

5. Since the petitioner has not deposited the amount, as per the directions of this Court, this Criminal Revision Case is dismissed, with liberty to file a fresh petition after compliance of the earlier orders passed by this Court.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The Principal District Munsif cum Judicial Magistrate, Eraniel.

2. The Sessions Judge, Kanyakumari at Nagercoil.

3. The Additional Public Prosecutor,
Madurai.
Madurai.



4. The Section Officer, (2 copies)
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

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+1cc to Mr.T.A.Ebenezer, Advocate Sr.No.73378

+1cc to Mr.Ka.Raamakrishnan, Advocate Sr.No.73616

LS

VB/SKN/RSK/SAR2/30/07/2018/3P/8C

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