



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Thursday, the Nineteenth day of April Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL MP(MD) No.3055 of 2018

IN

CRL RC(MD) No.236 of 2018

PRABU @ PRABHAKARAN

... PETITIONER/REVISION PETITIONER

Vs

A. KAVITHA

... RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to Stay all further proceedings order passed in C.A.No.7/2016 dated 17/01/2018 in M.C.No.6/2014 by the Learned Additional District Court (Fast Track Court), Kumbakonam pending disposal of the above Crl.R.C.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.T.K.GOPALAN, Advocate for the petitioner and the court made the following order:-

Heard Mr.T.K.Gopalan, learned counsel appearing for the petitioner.

2.This petition was filed against the order passed in C.A.NO.7 of 2016 dated 17.01.2018 in M.C.No.6 of 2014 by the learned Additional District Court(Fast Track Court), Kumbakonam pending disposal of the criminal revision case.

3.On the side of the petitioner, it is stated that the respondent filed a domestic violence petition against the petitioner and his aged parents before the learned Judicial Magistrate, Kumbakonam in M.C.No.6 of 2014. The lower Court has ordered the petitioner to pay a sum of Rs.10,000/- per month to the respondent and a sum of Rs.10,000/- per month towards education expenses of children. The petitioner filed a revision petition before this Court.

4.It is further stated that the monthly income of petitioner is not Rs.3,00,000/- as decided by the lower Court. The petitioner is only doing plantation auction business. He is getting only Rs.300/- to 700/- per day, whereas the respondent is from a rich family and



she has admitted this in her evidence also. It is stated that the petitioner is willing to pay a sum of Rs.3,000/- per month for each children towards their education and maintenance expenses till the disposal of the revision case. He prayed that the order of the lower Court is to be stayed till the disposal of the revision petition.

WEB COPY

5. Records perused. From the perusal of the records, it is seen that the marriage is not denied and having the children are not denied. The petitioner has undertaken to pay a sum of Rs.3,000/- per month to each children towards their expenses. This Court directs the petitioner to pay a sum of Rs.5,000/- per month for his wife and a sum of Rs.5,000/- per month for each children on or before 5<sup>th</sup> of every English calendar month till the disposal of the criminal case. On such condition, the order passed in the C.A.No.7 of 2016 dated 17.01.2018 by the learned Additional District Court (Fast Track Court), Kumbakonam, is stayed. As per the order of the lower Court, the petitioner is directed to deposit the arrears amount within a period of six weeks from the date of receipt of copy of this order, after deducting the amount, which has already paid, any deviation from the order, automatically will lead to vacate the stay order.

sd/-

19/04/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

- 1 THE ADDITIONAL DISTRICT JUDGE  
FAST TRACK COURT, KUMBAKONAM
- 2 THE JUDICIAL MAGISTRATE,  
KUMBAKONAM
- 3 THE CHIEF JUDICIAL MAGISTRATE  
THANJAVUR DISTRICT AT KUMBAKONAM

+1. C.C. to M/S.T.K.GOPALAN Advocate SR.No.6675

ORDER

IN

CRL MP (MD) No.3055 of 2018

IN

CRL RC (MD) No.236 of 2018

Date : 19/04/2018

SMA/CSL/ASVM/27.04.2018:2P/5C

<https://hcservices.ecourts.gov.in/hcservices/>