



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2018

CORAM:

WEB COPY

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.M.P(MD)No.7008 of 2018
in
Crl.R.C(MD)No.SR28621 of 2018

Ramar : petitioner

Vs.

1.Solaiammal
2.Minor Rahul
(through his guardian and mother
Solaiammal who is the first respondent) : Respondents

PRAYER in Crl.M.P(MD).No.7008 of 2018: Petition filed under Section 482 of Criminal Procedure Code, to dispense with the production of the certified copy of the impugned order passed in Crl.M.P.No.6777 of 2017 in M.C.No.9 of 2013, dated 13.04.2018 on the file of the Judicial Magistrate Court, Andipatty, Theni District.

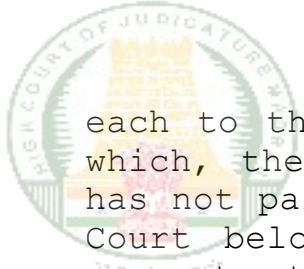
PRAYER in Crl.R.C(MD).No.SR28621 of 2018: Petition filed under Section 397(1) r/w 401 of Criminal Procedure Code, to call for the records pertaining to the impugned order passed in Crl.M.P.No.6777 of 2017 in M.C.No.9 of 2013 dated 13.04.2018 on the file of the Judicial Magistrate Court, Andipatty, Theni District and set aside the same.

For Petitioner : Mr.R.Murugappan

ORDER

Heard the learned counsel appearing for the revision petitioner.

2.In M.C.No.9 of 2013, an *ex-parte* order of maintenance was passed by the Judicial Magistrate Court, Andipatty, Theni District, on 08.11.2013. Aggrieved over the same, the revision petitioner herein has filed an application to set aside the order with delay of three years, seven months and fourteen days. The Court below, after hearing both sides, has allowed the application on condition that the petitioner/revision petitioner herein has to pay a sum of Rs.1,500/-(Rupees One Thousand and Five Hundred only)



each to the respondents 1 and 2 on or before 09.05.2018, failing which, the application will be dismissed. The petitioner herein has not paid the costs before 09.05.2018. Without approaching the Court below for extension of time to deposit the money in the account, the revision petitioner has filed the present criminal revision case with delay of 49 days and also to dispense with the production of the original order.

3.This Court finds no merit in entertaining this petition, since the revision petitioner has not brought to the notice of the trial Court regarding the reason for non-compliance of his order. Hence, this petition is dismissed. Consequently, connected Cr1.R.C(MD).No.SR28621 of 2018 is rejected.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS-IV)

To

1.The Judicial Magistrate Court,
Andipatty, Theni District.

+ 1 CC TO MR.R.MURUGAPPAN, ADVOCATE IN SR NO.16974

RMK

BU/PM/SAR-IV : 03.10.2018 : 2P/3C

Cr1.M.P(MD)No.7008 of 2018
in
Cr1.R.C(MD)No.SR28621 of 2018
05.09.2018