



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2018

CORAM:

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

CRL.O.P. (MD) No.20149 of 2013

and

M.P. (MD) No.2 of 2013

Baskaran

... Petitioner

-vs-

Deepa

... Respondent

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, against the order dated 12.06.2013 passed in Criminal Revision No.56 of 2012 on the file of the III Additional District and Sessions Judge of Trichirappali there by modifying the order dated 03.08.2012 passed in M.C.No 5 of 2009 on the file of Judicial Magistrate, Thuraiyur.

For Petitioner : Mr.N.R.Balaji
For Respondent : Mr.V.Palani

ORDER

The respondent herein filed M.C.No 5 of 2009 before the Judicial Magistrate, Thuraiyur. A sum of Rs.2,500/- has been awarded as maintenance. Questioning the same, the petitioner herein file Criminal Revision No.56 of 2012 before the III Additional District and Sessions Judge of Trichirappali. The Sessions Court partly allowed the Criminal Revision and reduced the maintenance amount from Rs.2,500/- to Rs.2,000/-. Still feeling aggrieved, this Criminal Original Petition has been filed.

2.The learned counsel for the respondent submitted that till date the petitioner/husband has not paid even in a single pie by way of compliance of the impugned order. That apart, the respondent would also point out that the statutory bar against the filing of second revision set out under Section 397 (3) of Cr.P.C. would apply in this case.

3. In this case, the petitioner has already moved the Sessions Court and hence the bar under Section 397(3) of Cr.P.C, will apply in this case. Hence, this Criminal Original Petition is dismissed as



not maintainable. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (RTI)

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Sub Assistant Registrar

To

1. The III Additional District and Sessions Judge,
Trichirappali.
2. The Judicial Magistrate,
Thuraiyur.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

RMK/LS

TE/SB/SAR-3 : 05/07/2018 : 2P/4C

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