



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD) .No.20324 of 2013

and

M.P(MD) .No.1 of 2013

Maruthu

...Petitioner/Revision Petitioner/Respondent

Vs.

1.Maharasi

2.Minor Kavitha

(Rep.by the 1st Respondent mother and guardian)

...Respondents/Respondents/Petitioners

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records and to set aside the order passed in Crl.R.C.No.57 of 2011 dated 14.08.2013 on the file of the Principal District Judge, Thoothukudi.

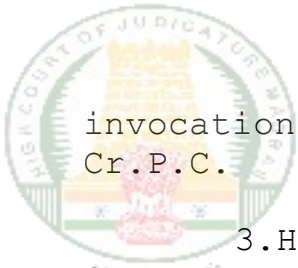
For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.A.Rajaram

O R D E R

The petitioner suffered maintenance order in M.C.No.36 of 2007 on the file of the Chief Judicial Magistrate, Thoothukudi. Questioning the same, he has filed Crl.R.No.57 of 2011 before the Sessions Court. The revision was dismissed on 14.08.2013, the petitioner was directed to pay a sum of Rs.3,000/- in all to the respondents herein.

2.The petitioner herein would contend that he was forced to get married to the first respondent by duress and coercive that too when she was seven months pregnant. The petitioner would deny that he is the father of the second respondent herein. Be that as it may, the fact remains the petitioner had not obtained any decree from the Civil Court nullifying the marriage with the first respondent herein. That apart as rightly pointed out by Mr.Raja Ram learned counsel for the respondent, the petitioner having already exhausted the revisional remedy by moving Sessions Court, cannot now circumvent the statutory bar by invoking inherent powers of this Court. No exceptional case is made out for



invocation of the jurisdiction of this Court under Section 482 Cr.P.C.

3.Hence, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1.The Principal District Judge, Thoothukudi.

2.The Chief Judicial Magistrate,
Thoothukudi.

+ 1 cc TO Mr.S.C.Herold Singh , Advocate in SR No. 63150

cp

AE/SV MMS/SAR3/22.05.2018/2P/4C

**Cr1.O.P. (MD) .No.20324 of 2013
and
M.P (MD) .No.1 of 2013
24.04.2018**