

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Fifth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice V. PARTHIBAN

CRIMINAL MISCELLANEOUS PETITION No.692 OF 2019

& CRL.MP.NO.12854 OF 2017

IN CRL.RC.NO.1324 OF 2017

T.MANI

[PETITIONER]

Vs

SULOCHANA

[RESPONDENT]

Petitions praying that in the circumstances stated therein the High Court will be pleased to

[i] restore the vacate stay in CRL.RC.NO.1324/2017 which was vacated on 16/04/2018 for non-appearance of the counsel and pass such further or other orders as this Hon'ble Court, IN CRL.RC.NO.1324 OF 2017 [IN CRL.MP.NO.692 OF 2019]

[ii] stay for all the proceeding in connection with M.C.No.18 of 2008 dated 15.07.2017 on the file of 3rd Additional Family Court Chennai, in pendency of above CRL.RC.NO.1324 OF 2017 [IN CRL.MP.NO.12854 OF 2017]

Order : These petitions coming on for orders upon perusing the petition and upon hearing the arguments of M/S.M.RAJENDIRAN Advocate for the petitioner and of M/S.P.VIJENDRAN Advocate on behalf of the Respondent, the court made the following order:-

This is a petition seeking to set aside the order dated 16.04.2018, passed in Crl.R.C.No.1324 of 2017 and Crl.M.P.No.12854 of 2017, vacating the interim stay already granted by this Court on 30.01.2018.

2.Heard the learned counsel for the petitioner.

3.Despite sufficient time having been given to the petitioner to make payment of balance amount as ordered by this Court, vide order dated 30.01.2018, the petitioner has not complied with the conditional order. Hence, this Court, by its subsequent order dated 16.4.2018, vacated the interim stay already granted by this Court. Hence, the present petition.

4.Taking into consideration the facts and circumstances of the case and also the reasons assigned in the affidavit filed in support of this petition, particularly paragraph No.5 stating that the condition had been duly complied in October and November 2018, the order dated 16.4.2018 passed in Crl.R.C.No.1324 of 2017 and Crl.M.P.No.12854 of 2017 is set aside. The order of interim stay, as ordered by this Court, on 30.01.2018, shall stand restored.

-sd/-
25/01/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

THE 3rd ADDITIONAL FAMILY COURT,
CHENNAI.

Order

in
CRL MP.692/2019
&
CRL.MP.NO.12854/2017

Date :25/01/2019

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MK:05/02/2019