

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Eighth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL MISCELLANEOUS PETITION No.1653 of 2019

IN CRL.OP.NO.28382 OF 2018

1 D.RAMAKRISHNAN [PETITIONERS]
2 M.R.RAJESHWARI
3 T.S.PANCHATSHARAM
4 P.PARVATHY
5 GAYATHRI
6 A.N.KABALEESHWARAN

Vs

1 P.LOGANAYAKI @ SRIDEVI AISHWARYA, [RESPONDENTS]
2 M.R.RUBESHRAJ
3 D.R.ANUVARSHINI

Petition praying that in the circumstances stated therein the High Court will be pleased to modify the condition to the effect that the petitioners will execute a bond under sec.88 of Cr P.C for their appearance before the trial court and undertake to appear as and when required by the trial court instead of condition that the petitioners shall ensure Rubeshraj deposit a sum of Rs.5,000/- (Rupees Five Thousand only) before 5th of every English Calendar month to the credit of D.V.A.No.5 of 2018 on the file of the Learned Judicial Magistrate III, Erode as observed in Para No.3 of the order in Crl.MP.NO.16509 of 2018 in Crl.OP.NO.28382 of 2018 dated 5.12.2018.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.M.SARFUDEEN ALI AHAMED, Advocate for the petitioner the court made the following order:-

This Court has already passed an order in Crl.O.P.No.28382 of 2018 and Crl.M.P.No.16509 & 16507 of 2018 dated 05.12.2018, dispensing with the personal appearance of the petitioners before the trial Court on condition that they shall ensure that M.R.Rubeshraj shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) before 5th of every English Calendar month starting to the credit of D.V.A.No.5 of 2018, on the file of the Judicial Magistrate No.III, Erode as *ad-interim* maintenance, without prejudice to both the parties. On such deposit being made, the respondent/wife is entitled to withdraw the said sum of Rs.5,000/- shall be deposited on or before 12.12.2018. Seeking modification of the said condition, the present petition is filed by the petitioner.

2.This Court finds no infirmity in the above said order passed by this Court. Hence, this petition is dismissed.

-sd/-
08/02/2019

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

1 THE JUDICIAL MAGISTRATE,
NO.III, ERODE.

2 THE CHIEF JUDICIAL MAGISTRATE
ERODE. [FOR INFORMATION]

+1C.C. to M/S.M.SARFUDEEN ALI AHAMED Advocate on payment of necessary charges in SR.NO. 3054

Order

in

CRL MP.1653/2019

IN CRL.OP.NO.28382 OF 2018

Date :08/02/2019

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MLT-18/02/2019