



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2019

CORAM:

THE HON'BLE MR.JUSTICE P.VELMURUGAN

Cr1.R.C.No.1532 of 2012

and

MP.No.1 of 2012

Sridharan

.. Petitioner

Vs.

Meena

.. Respondent

Criminal Revision filed under Sections 397 and 401 Cr.P.C., praying to set aside the order dated 26.09.2012 passed in M.C.No.2 of 2011 on the file of the Judicial Magistrate Court No.II, Tindivanam.

For Petitioner : Ms.K.M.Nalinishree

For respondent : No Appearance

O R D E R

This Criminal Revision Case has been filed to set aside the order dated 26.09.2012 passed in M.C.No.2 of 2011 on the file of the Judicial Magistrate Court No.II, Tindivanam.

2. Heard the learned counsel appearing for the revision petitioner. None appeared on behalf of the respondent.

3. The respondent herein filed a petition under Sections 9 (a) and 37(e) of Domestic Violence Act against the petitioner herein and two others before the learned Judicial Magistrate No.2, Tindivanam and the same was taken on file in M.C.No.2 of 2011. The learned Magistrate, after hearing the arguments, allowed the petition on 26.09.2012 and directed the petitioner/husband to pay a sum of Rs.25,000/- as compensation and a sum of Rs.3,000/- per month towards monthly maintenance to the respondent/wife from the date of filing of the Maintenance Case. Challenging the said order, the husband filed the present revision before this Court. As per Section 29 of the Domestic Violence Act, the affected party can file an appeal before the jurisdictional Sessions Court.



4. In view of the above, this Criminal Revision Case is dismissed as not maintainable. The petitioner is at liberty to file an appeal before the jurisdictional Sessions Court and in case he file an appeal immediately, the same shall be taken on file and the period spent for this revision shall be excluded for the purpose of limitation. Consequently, connected miscellaneous petition is also closed.

s/d-
Assistant Registrar(CS V)

True Copy

Sub-Assistant Registrar

KMI

To

1. The Judicial Magistrate No.II,
Tindivanam.

2.The Judicial Magistrate, Villupuram.

Copy to

The Section officer
Criminal Section
High Court, Madras 104.

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CA(CO)
SP(14/08/2019)