

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.R.C.No.322 of 2019 and
Crl.M.P.No.4101 of 2019

Murthy

...Petitioner/
Petitioner/Appellant

-Vs-

Senthamarai

...Respondent/
Respondent/Respondent

This Criminal Revision Case is filed under Sections 397 read with Section 401 of Cr.P.C. to set aside the order in so far as imposition of onerous condition in Crl.M.P.No.20521 of 2018 in C.A.SR.No.23174 of 2018 on the file of the learned Principal Sessions Judge, Chennai, dated 05.03.2019 is concerned and set aside the same.

For Petitioner : Mr.J.Nagarajan

O R D E R

The petitioner is husband and respondent is wife. The respondent/wife had filed a case under Domestic Violence Act in D.V.C.No.183 of 2017 before the Additional Mahila Court, Egmore, Chennai, against the petitioner, which was ordered in favour of the respondent, against which the petitioner/husband has filed an appeal with the petition in Crl.M.P.No.20521 of 2018 in Crl.A.No.SR23174 of 2018 seeking to condone the delay of 53 days in filing the appeal. The learned Principal Sessions Judge, after hearing both the parties by order dated 05.03.2019 had allowed the miscellaneous petition, by imposing condition that the petitioner shall pay arrears of maintenance as directed by the Mahila Court in the domestic violence case. Against the conditions imposed by the Sessions Judge, the husband is before this Court.

2 The learned counsel appearing for the petitioner would submit that the condition imposed by the learned Principal

Sessions Judge is onerous and seeks to set set aside the same. However, after some arguments, he fairly submitted that the petitioner is ready to comply with the conditions imposed by the learned Principal Sessions Judge, but, as the time limit given to comply with the order dated 05.03.2019 has expired on 19.03.2019, the petitioner seeks to extend the time given by the learned Principal Sessions Judge, Chennai, to comply with the conditions imposed in the miscellaneous petition.

3 Considering the fair submissions made on behalf of the petitioner, time is hereby extended till 16.04.2019 to comply with the conditional order dated 05.03.2019 passed by the learned Principal Sessions Judge, Chennai, in CrI.M.P.No.20521 of 2019 in CrI.A.No.SR23174 of 2018.

4 With the above directions, the criminal revision case is disposed of. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

The Principal Sessions Judge,
Chennai.

+lcc to Mr.J.Nagarajan, Advocate, S.R.No.26964

CrI.R.C.No.322 of 2019 and

CrI.M.P.No.4101 of 2019

KJ(CO)
CS/29/03/2019

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