

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.11174 of 2019

and

Crl.M.P.Nos.5696 and 8044 of 2019

1.Mathalamarry

2.Sagayam

3.Angel Mary Petitioners

Vs.

1.Mrs.Maria Antony Merlin Mary

2.J.Maria Sebastin ... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records in DVC No.7 of 2019 on the file of XV Metropolitan Magistrate, George Town, Chennai and quash the same.

For Petitioners : Mr.R.Arunkumar

For Respondents : Mr.R.Muthukumar
for R1

ORDER

On the consent of both the parties the main Criminal Original Petition itself is taken up for hearing.

2.The learned counsel for the petitioners has raised various issues which are all factual in nature and the same can be gone into only by the Court below in the course of the proceedings. It is left open to the petitioner to raise all the issues before the Court below and the Court below shall consider the same on its own merits and in accordance with law.

3.The learned counsel for the petitioners submitted that the presence of the petitioners can be dispensed with and they will be represented by an Advocate before the Court below.

4.The learned counsel for the respondent submitted that the respondent has not been paid any maintenance by the husband and the case is being dragged.

5.Taking into consideration the facts and circumstances of the case, this Criminal Original Petition is disposed of with a direction, directing the XV Metropolitan Magistrate Court, George Town, Chennai to dispose of the proceedings in D.V.C.No.7 of 2019 within a period of four months from the date of receipt of a copy of this order. The presence of the petitioners shall be dispensed with and they shall be represented by a counsel before the Court below. The petitioners shall appear before the Court below during important hearing dates as and when required by the Court below. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-VII)

//True copy//

Sub Assistant Registrar

jas/vs

To

1.The XV Metropolitan Magistrate,
George Town, Chennai.

2.The Public Prosecutor,
High Court, Madras.

+2cc to Mr.R.Arunkumar, Advocate SR.No.54755

+1cc to Mr.R.Muthukumar, Advocate SR.No.56032

CrI.O.P.No.11174 of 2019
and
CrI.M.P.Nos.5696 and 8044 of 2019

MP(CO)
GMY(22/07/2019)

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