

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.OP.No.3354 of 2017
and CRL.M.P.No.2434 of 2017

Mr.Murali .. Petitioner/Petitioner/Respondent

Vs.

1.Mrs.Aruna

2.Minor.Sachin Mugesh .. Respondents/Respondents/Petitioners

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to set aside the order dated 8.09.2016 passed in Criminal Revision Petition No.55/2015 on the file of Principal Session Judge, Cuddalore District, Cuddalore.

For Petitioner : Mr.R.Gopalakrishnan

For Respondents : No appearance

O R D E R

The Criminal Original Petition has been filed to to set aside the order dated 8.09.2016, passed in Criminal Revision Petition No.55 of 2015, on the file of the learned Principal Session Judge, Cuddalore District, Cuddalore.

2.Heard, Mr.R.Gopalakrishnan, learned counsel appearing for the petitioner, and there is no representation on the side of the respondents and perused the materials available on record.

3.The relevant portion of the order dated 8.09.2016 in Criminal Revision Petition No.55 of 2015, passed by the learned Principal Session Judge, Cuddalore District, Cuddalore is extracted hereunder:

17.The petitioners in their petition only sought for a sum of Rs.3,000/- for the 1st petitioner and Rs.1,000/- for the 2nd petitioner but the trial court has awarded a sum of rs.2500/- each to the petitioners as monthly maintenance. Though the petitioners have claimed a sum of Rs.1,000/- for the

minor child and considering the cost of living and other expenses, it is not sufficient and thereby the trial court also awarded the excess amount and the same is reasonable one and thereby the trial court also awarded the excess amount and the same is reasonable one and thereby there is no any warrant to interfere with the order of the trial court and therefore the revision petition has no merits and deserves to be dismissed. Accordingly the Criminal Revision Petition is dismissed. Thus the point is answered.

18. In the result, this Criminal Revision Petition is dismissed and the order passed by the learned Judicial Magistrate No.II, Panruti in M.C.No.18/2013 dated 28.10.2015 is hereby confirmed."

4. In view of the above, this Court finds no infirmity or illegality in the order dated 8.09.2016 in Criminal Revision Petition No.55 of 2015, passed by the learned Principal Session Judge, Cuddalore District, Cuddalore. Therefore, this Court is not inclined to set aside the same.

5. With the above observation, the Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-
Joint Registrar (Judicial)

//True Copy//

Sub Assistant Registrar

pam

To

- 1) The Principal Session Judge,
Cuddalore District, Cuddalore.
- 2) The Public Prosecutor,
High Court, Madras.

VBA(CO)
SSM(18/06/2019)

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