

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2019

CORAM:

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

CRL.OP.No.8347 of 2017
and CRL.M.P.No.5994 of 2017

Mr.R.Raisingh Antony Raj

... Petitioner

Vs.

1.Mrs.R.Santhi Stella

2.R.Andrew Chrissanthus

3.R.Amandeen Peola

4.R.Angelin Therus

(Respondent No.2 to 4 are minors and they are represented by the 1st respondent as mother and as natural guardian)

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to set-aside the order dated 16.11.2016 passed in Criminal Revision Petition No.11 of 2015 on the file of the Principal District and Session Judge, Kancheepuram District at Chengalpattu in confirming the order dated 12.5.2015 passed in CRL.M.P.No.285 of 2015 in M.C.No.1 of 2015 on the file of Judicial Magistrate at Tambaram.

For Petitioner : Mr.R.Dilli Kumar

For Respondents: Mr.Edwin Jerome for R1 to R4

O R D E R

The Criminal Original Petition has been filed to set-aside the order dated 16.11.2016, passed in CRP.No.11 of 2015, on the file of the learned Principal District and Session Judge, Kancheepuram District at Chengalpattu in confirming the order dated 12.5.2015, passed in CRL.M.P.No.285 of 2015 in M.C.No.1 of 2015, on the file of the learned Judicial Magistrate at Tambaram.

2.It is seen from the records that the respondents have filed the maintenance case against the petitioner before the

Judicial Magistrate Court, Tambaram in MC.No. 285 of 2015 and an interim maintenance came to be ordered in CMP.No.285/2015 in M.C.No.1 of 2015, directing the petitioner to pay Rs.1,000/- to the first respondent and Rs.12,000/- to the second respondent and Rs.11,000/- each to the third and fourth respondents.

3. Aggrieved over the said interim order, the petitioner herein has preferred a Crl.RP.No.11 of 2015 before the Principal Sessions Judge, Kancheepuram at Chengalpattu. The said Criminal Revision Petition was dismissed on 16.11.2016, confirming the interim order passed in MP.No.285/2015 in M.C.No.1 of 2015. As against which, the Criminal Original Petition is filed.

4. Heard, Mr.R.Dilli Kumar, learned counsel appearing for the petitioner, and Mr.Edwin Jerome, learned counsel appearing for the respondents 1 to 4 and perused the materials available on record.

5. On perusal of the records, this Court finds no infirmity or illegality in the orders passed by the trial Court and the First Appellate Court. However, on considering fact that the trial is yet to commence before the trial Court and also the direction of the trial Court that the petitioner shall pay the maintenance till the disposal of the maintenance petition, it would be appropriate to fix a time to complete the trial. Accordingly, the trial Court is directed to complete the trial within a period of three months from the date of receipt of a copy of this order.

6. With the above directions, the Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

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To

1. The Principal District and Session Judge, Kancheepuram.

2. The Judicial Magistrate, Tambaram.

+1CC to Mr.R.Dillikumar, Advocate sr 28377.

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SSD(CO)
SP(06/06/2019)