

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Eighteenth day of October Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL MISCELLANEOUS PETITION No.14437 of 2019

and CRL.R.C.No.611 OF 2019

R.PREMKUMMAR

[PETITIONER / RESPONDENT]

Vs

1 P.HEMA

[RESPONDENTS / PETITIONERS]

2 SAI RITIK (MINOR)

REPRESENTED BY MOTHER AND NATURAL GUARDIAN,

P.HEMA

Petition praying that in the circumstances stated therein the High Court will be pleased to extend the time to pay the arrears of maintenance at the rate of Rs.15000/- per month, passed in Crl.M.P.No.8400/2019 dated 28.06.2019 in Crl.RC.No.611 of 2019.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.S.SURESH, Advocate for the petitioner and of M/S M.SENTHILVADIVU, (R-1) on behalf of the Respondent the court made the following order:-

This criminal miscellaneous petition has filed seeking extension of time to pay the arrears of maintenance at the rate of Rs.15,000/- per month, passed in Crl.MP.No.8400/2019 dated 28.06.2019 in Crl.RC.No.611/2019.

2. The learned counsel for the petitioner would submit that the conditional order of interim stay dated 28.06.2019 was communicated to the learned counsel who had appeared for the respondent. While the petitioner was taking steps to deposit the amount. In the mean time the 1st respondent filed the Crl.MP.No.529/2019, before the Family Court, Vellore dated 15.07.2019, seeking payment of arrears of maintenance amount of Rs.4 Lakhs, failing which to issue a warrant of arrest. In the said Crl.MP.No.529/2011, before the Family Court, Vellore the petitioner appeared and tendered the arrears of maintenance till August at the rate of Rs.15,000/- per month, as directed by this Court. However, the respondent has refused to accept the same and filed a memo stating that she is willing to accept the arrears at the rate of Rs.15,000/- per month, despite knowing about the order of this Court. Meanwhile, the Family Court by an order dated 03.08.2019 had passed an order of attachment of salary at the rate of Rs.20,000/- which was against the order of this Court and thereby, that the petitioner had appeared before the Family Court, Vellore, on 09.08.2019 to deposit the arrears of maintenance for the month of August. The Family Court has refused to receive the same.

3.The learned counsel for the petitioner would submit that the petitioner without prejudice to his contentions, is willing to pay a sum of Rs.3,00,000/- by way of demand draft or directly to the learned counsel for the respondent/wife and would seek some more time to deposit the remaining arrears which as on today, works out to Rs.60,000/- and he would also submit the petitioner will continue to comply with the orders passed by this Court by depositing a sum of Rs15,000/- per month before the Family Court, Vellore or directly handover the amount to the respondent/wife.

4.Today, the learned counsel for the respondent accepts the demand draft for a sum of Rs.3,00,000/- issued in favour the respondent/wife.

5.Post the matter on 15.11.2019 for payment of balance amount of arrears of maintenance.

-sd/-

18/10/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDGE, FAMILY COURT,
VELLORE.

+1C.C. to M/S.S.SURESH Advocate on payment of necessary charges
SR NO.21410

Order

in

CRL MP.14437/2019

and CRL.R.C.No.611 OF 2019

Date :18/10/2019

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RVR 30/10/2019