

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.R.C.Nos.1191 and 1294 of 2018 and
Crl.M.P.Nos.14016, 15239 & 15241 of 2018

L.Kalyanasundaram ...Petitioner in both the RCs

-Vs-

L.Sujatha ...Respondent in both the RCs

Prayer in both the revisions: These Criminal Revision Cases are filed under Sections 397 read with Section 401 of Cr.P.C. to set aside the order dated 15.12.2017 passed by the learned Judicial Magistrate No.III, Puducherry in Crl.M.P.Nos1496 & 1497 in D.V.C.No.16 of 2017 and confirmed by the learned II Additional Sessions Judge, Puducherry on 23.08.2018 in Crl.A.Nos.06 & 07 of 2018 respectively.

For Petitioner : Mr.N.Devarajan – in all the RCs

For Respondent : Mr.M.Ravi – in all the RCs

COMMON ORDER

Both the criminal revision cases have been filed against order of granting interim maintenance and alternative accommodation to the respondent wife.

2 The petitioner is husband and respondent is wife. The respondent/wife has filed a case under Domestic Violence Act in D.V.C.No.16 of 2017 against the petitioner and others. Pending the above

case, the respondent/wife has filed two miscellaneous petitions seeking interim maintenance and alternative accommodation. The Court below by order dated 15.12.2017 has granted maintenance for a sum of Rs.7000/- and directed the petitioner/husband to provide alternative accommodation to the respondent or to pay Rs.5000/-. Aggrieved against the same, the petitioner/husband has filed separate appeals in C.A.Nos.06 and 07 of 2018 before the learned II Additional Sessions Judge, Puducherry, and the learned Sessions Judge, after hearing both the parties, by a common order dated 23.08.2018 dismissed both the appeals and confirmed the order passed by the trial Court. Aggrieved against the same, the husband is before this Court with the present criminal revision cases.

3 According to learned counsel for the petitioner, the respondent has lived in the matrimonial home only for a few days and she voluntarily deserted the petitioner without any valid reason.

4 According to the learned counsel for the respondent, due to the cruelty made by the petitioner and his family members, the respondent/wife has filed domestic violence case.

5 It is seen that the orders impugned in these revision cases are only interim in nature and whatever the defence, the petitioner can establish before the Court below at the time of deciding main Domestic Violence Case. This Court does not find any perversity in the orders impugned in both the criminal revision cases. There is no merit and substance in these revisions and hence the same are dismissed. Consequently, connected miscellaneous petitions are closed.

08.03.2019

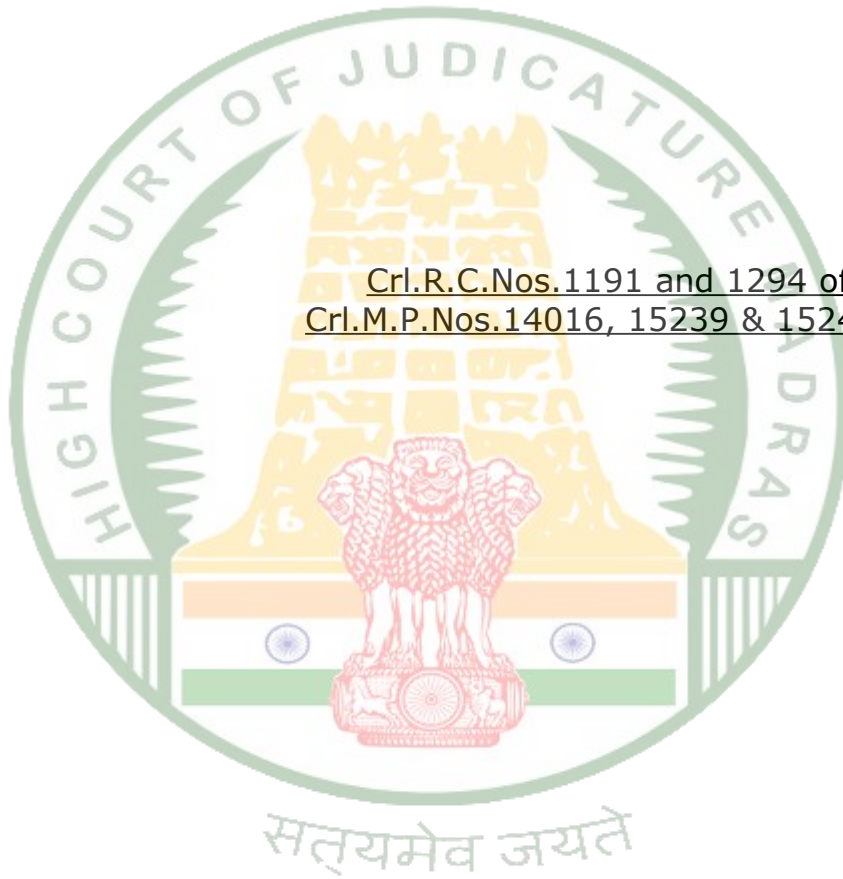
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To

1. The Judicial Magistrate No.III, Puducherry.
2. The II Additional Sessions Judge, Puducherry.

P.VELMURUGAN, J.,

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