



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2019

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.R.C.(MD)No.986 of 2011

WEB COPY

K.Sarasu @ Saroja

... Revision petitioner/Petitioner

Vs.

K.M.Karuppaiah

... Respondent/Respondent

Prayer: Criminal Revision is filed under Section 397 r/w 401 of Cr.P.C, to call for the records in M.C.No.2 of 2009 on the file of the learned Additional Chief Judicial Magistrate, Madurai and to modify the order in M.C.No.2 of 2009 dated 17.11.2011 as to direct the respondent to pay the maintenance amount from the date of the maintenance petition i.e.07.01.2009 to the petitioner.

For Appellants

: Mr.S.M.A.Jinnah

O R D E R

On 28.06.2019, this Court had passed the following order:-

"The petitioner sought maintenance from the respondent. The Court below allowed the maintenance petition but directed that the respondent is liable to pay the maintenance only from the date of the order. The petitioner's case is that the maintenance should have been ordered from the date of application. Seeking said modification, this Criminal Revision case has been filed.

Though this criminal revision case was filed way back in the year 2011, till date service on the respondent has not been complied with. It is for the petitioner to effect service on the respondent. This Court gives one more chance to the petitioner. Fresh notice to the respondent returnable by 12.07.2019. It is made clear that if the petitioner is unable to trace the whereabouts of the respondent in the meanwhile, this Court would be constrained to dismiss the criminal revision case."



2. Today when the matter was taken up for hearing, the learned counsel appearing for the Revision petitioner submitted that they are not aware of the current whereabouts of the respondent.

3. This revision case was filed way back in the year 2011. We are now in the year 2019. For the last 8 years, the respondent could not be served. In these circumstances, no purpose will be served in keeping this revision petition pending.

4. The criminal revision petition stands dismissed, accordingly. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

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To:

1. The Additional Chief Judicial Magistrate,
Madurai.
2. The Section Officer, -2copies
Criminal Section,
Madurai Bench of Madras High Court, Madurai.

Crl.R.C. (MD) No. 986 of 2011

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