

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 22.04.2019**

WEB COPY

CORAM**THE HONOURABLE MR. JUSTICE B.PUGALENDHI****Crl.O.P. (MD)No.2375 of 2016
and Crl.M.P. (MD) .Nos.1189 & 1190 of 2016**

1.Raj Ganesh
2.Kanageshwari
3.Geetha
4.Anitha

.. Petitioners/Respondents

Vs.

Karmukil

.. Respondent/Petitioner

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to D.V.P.No.25 of 2015 on the file by the learned Judicial Magistrate No.I, Karur to quash the same.

For Petitioners : Mr.N.Shanmugaselvam

For Respondent : Mr.T.Lajapathi Roy

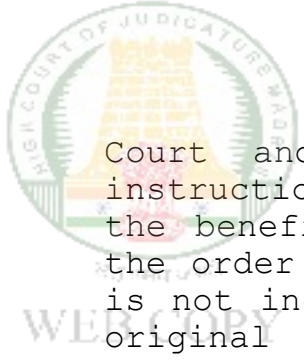
ORDER

This criminal original petition has been filed by the petitioners to quash the proceedings pending against the petitioner in D.V.P.No.25 of 2015 on the file of the Judicial Magistrate No.I, Karur.

2.This Court by order, dated 16.02.2016 has ordered notice to the respondents and also granted an order of interim stay subject to a condition that the first petitioner shall deposit a sum of Rs.5,000/- to the credit of the D.V.P.No.25 of 2015 before the Judicial Magistrate No.I, Karur on 5th day of very English Calendar month and on such deposit, the respondent is entitled to withdraw the same without prejudice to the defence taken by the parties.

3.The learned counsel for the respondent/complainant would submit that pursuant to the order, the petitioners have paid the amount for only one month and thereafter they have not made any payment.

4.The learned counsel for the petitioner by filing additional typed set of papers would submit that the petitioners have paid the interim maintenance amount up to the year 2017 and in view of the divorce granted, they have not paid the amount as directed by this



Court and he would further submit that he has no further instructions from the petitioners in this regard. Having availed the benefit of interim order, the petitioners have not complying the order of this Court. In such view of the matter, this Court is not inclined to entertain this petition. Hence, this Criminal original petition is dismissed. The learned trial Judge shall proceed with the trial and conclude the same as expeditiously as possible. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

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TO

1. THE JUDICIAL MAGISTRATE NO.1, KARUR.
2. THE CHIEF JUDICIAL MAGISTRATE, KARUR.

+1CC TO MR.T.LAJAPATHI ROY, Advocate Sr. No. 62319

CrI.O.P.(MD)No.2375 of 2016
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KG(CO)

TR (10.06.2019) 2P 4C