



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P. (MD) .No.16687 of 2017

and

Crl.M.P. (MD) No.11017 of 2017

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... Petitioner/Petitioner/
Respondent

Vs.

1) Malathy

2) Minor B.M.Mukesh,
Rep. by his next friend/Guardian
mother Malathy

... Respondents/Respondents/
Petitioners

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to order made in C.M.P.No.594 of 2017 in C.M.P.No.2443 of 2016 in M.C.No.7 of 2010 dated 07.07.2017 on the file of the learned Judicial Magistrate No.II, Kulithalai and set aside the same.

For Petitioner : Mr.N.Shanmuga Selvam

For Respondents : Mr.H.Lakshmi Shankar

O R D E R

The learned counsel for the respondents, on instructions, submitted that pursuant to the order of maintenance passed by the Court below in M.C.No.7 of 2010, the same has been confirmed by this Court in Crl.R.C.No.299 of 2015 and it was put to execution and the execution was effected by attaching the salary of the petitioner. Every month a sum of R.3000/- (Rupees Three Thousand only) is being attached from the salary of the petitioner and sent to the first respondent/ wife of the petitioner.

2. In view of the above, this Court is not inclined to go into the legality in the orders passed by the Court below while dismissing the application under Section 311 of Cr.P.C.



3. Subsequent developments are taken note of and this Criminal Original Petition is disposed of accordingly. Consequently, connected Crl.M.P. (MD) No.11017 of 2017 is closed.

Sd/-

Assistant Registrar (A.S)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Judicial Magistrate No.II,
Kulithalai
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P. (MD) .No.16687 of 2017

Dated:

18.09.2019

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CS (15.10.2019) 2P 3C