

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2020

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.R.C.No.165 of 2020

and Crl.M.P.No.1268 of 2020

C.Venkatesan,
S/o.Chinnaiyan

... Petitioner

Vs.

1.Senthamizh Selvi,
W/o.C.Venkatesan

2.Nivetha @ Madhumidha,
D/o.C.Venkatesan

.... Respondents

PRAYER: Criminal Revision Petition filed under Sections 397 r/w. 401 of Criminal Procedure Code, to call for the records relating to the judgment passed by the III Additional Principal Family Court, Chennai in Maintenance Case No.36 of 2006, dated 24.10.2019 and to set aside the same.

For Petitioner : Mr.P.Kannan Kumar

For Respondent : Mr.C.Iyyappa Raj
Additional Public Prosecutor

ORDER

The learned counsel for the petitioner seeks permission of this Court to withdraw this Criminal Revision Case since the issue between the petitioner and the respondents has been resolved contemplated the petitioner to move divorce under Section 13(b) of the Hindu Marriage Act.

2.The learned counsel for the respondents submitted that, while moving this Criminal Revision Petition, this Court directed the petitioner to deposit a sum of Rs.5,00,000/- towards maintenance before the Trial Court. The respondents have also filed Crl.M.P.No.3514 of 2020, seeking permission to withdraw the amount deposited by the petitioner. This Court by order dated 02.06.2020, permitted the respondents to withdraw the deposited amount of Rs.5,00,000/- on condition that the respondents shall file an affidavit before the Trial Court stating that they will re-deposit the amount deposited by the petitioner, if the Criminal Revision is allowed.

3.He further submitted that the respondents apprehension is that the petitioner may insist to re-deposit the maintenance amount since the respondents have filed an

affidavit before the Trial Court stating that they would re-deposit the maintenance amount if the Criminal Revision is allowed.

4.In view of the fact that the Criminal Revision Case itself being withdrawn by the petitioner, the question of re-deposit of Rs.5,00,000/- would not arise.

5.Accordingly, this Criminal Revision Petition is dismissed as withdrawn. Consequently connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rst

To

1.The III Additional Principal Family Court,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

+1cc to M/s E.Sathiyaraj, Advocate Sr.39127

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RVR 19/12/2020

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