

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED:16.07.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN  
CRL.O.P.No.9252 of 2019

Dhivya,  
W/o.Senthilkumar,  
D/o.Thilagar,  
No:9, West Car Street,  
Villianur,  
Puducherry-606 010.

... Petitioner/ Petitioner

Vs

Senthilkumar,  
S/o.K.T.Baskaran,  
No.4/344-A, Seashell Avenue,  
Anna Salai,  
Palavakkam,  
Chennai-600 041.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Subordinate Judge, Tindivanam to dispose of the M.C.No.17 of 2012 on the file of the learned Subordinate Judge, Tindivanam within a time frame.

For Petitioner : Mr.Prakash Adiapadam

For Respondent : No appearance

O R D E R

This petition has been filed seeking for a direction to direct the learned Subordinate Judge, Tindivanam to dispose of the M.C.No.17 of 2012 on the file of the learned Subordinate Judge, Tindivanam.

2.The case of the prosecution is that the petitioner and the respondent are husband and wife and their marriage was solemnized on 25.03.2010 at Puducherry. Due to matrimonial dispute, the respondent caused cruelty to the petitioner by demanding dowry and they were living separately. Thereafter, she was also driven out from the matrimonial home.

3.The learned counsel for the petitioner would submit that the respondent is working as Software Engineer in Private Organization and drawing monthly salary more than one lakh but he is not maintaining the petitioner and his child. Therefore, the respondent had filed petition for divorce before the Sub-Court, Tambaram in HMOP No.182 of 2011 and it was transferred to

learned Sub-court, Tindivanam and renumbered as HMOP No.45 of 2012. She had filed a petition for maintenance before the learned Family Court, at Pondicherry in M.C.No.32 of 2011 and it was also transferred to the Subordinate Court, Tindivanam in pursuant to common order dated 10.12.2011 passed in Tr.C.M.P.Nos. 464/2011 & 565/2011 and renumbered as MC No.17/2012 and the same was pending. While being so, the respondent using political influence had foisted a false case against the petitioner's father and other family members before the J8, Neelankarai Police Station, Chennai in Crime No.353/2011 and charge sheet was also laid in C.C.No.604 of 2011 before the Judicial Magistrate, Alandur. The petitioner and her child are not able to maintain themselves and they are struggling lot even for their day to day livelihood. Hence, this petition.

4.Considering the facts and circumstances, the learned Subordinate Judge, Tindivanam is directed to compete the trial within a period of six months from the date of receipt of a copy of this order. Accordingly, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mpa

To

The Subordinate Judge, Tindivanam.

CRL.O.P.No.9252 of 2019

A.SK(09/09/2020)

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