

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2020

CORAM

THE HONOURABLE MR. JUSTICE T.RAVINDRAN

Crl RC.No.480 of 2014

and

M.P. No. 2 of 2014

Kathirvel

K. Kullathirampatti Village

Pennagaram Taluk,

Dharmapuri District

...Petitioner

Vs.

1. K.C. Saraswathi

2. Minor Gowtham

3. Minor Maheswaran

2 & 3 represented by their mother,

The first respondent, all residing at

Madhammal House

50/87 Pennagaram Road

Kumarasampettai, Dharmapuri Town

Dharmapuri District.

...Respondents

Prayer:

Criminal Revision filed under Section 401 read with 397 of the Criminal Procedure Code praying to set aside the order dated 30.09.2013 in Crl. M.P. No.297 of 2012 in M.C.No.24 of 2008 on the file of the Chief Judicial Magistrate, Dharmapuri.

For Petitioner : Mr. R. Selvakumar

For Respondents : Mr. V. Rajamohan

ORDER

Both counsel present and heard.

2. It is represented by the petitioner's counsel that the criminal revision has been preferred against the impugned order passed by the lower court directing his incarceration for a period of 6 months on his failure to pay a maintenance amount of

Rs.1,75,500/-.

3. It is represented by the petitioner's counsel that this court has granted an interim stay of the impugned order on conditions and the petitioner was unable to comply with the abovesaid conditions and further it is stated that the petitioner has already undergone the sentence of imprisonment ordered by the Court below and therefore, according to the petitioner's counsel, the Criminal Revision Petition has become infructuous and prays that the same may be dismissed as infructuous by this Court and the petitioner's counsel also undertakes to file a memo to that effect.

4. The above facts stated by the petitioner's counsel is not refuted by the respondent's counsel.

5. In the light for the abovesaid position, it is found that the Criminal Revision Petition has become infructuous and the petitioner's counsel is directed to file a memo to that effect immediately. Accordingly, the Criminal Revision Petition is dismissed as infructuous. Consequently, connected miscellaneous petition is closed.

*Xerox copy of the Memo of Compromise Enclosed.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

bga

Copy to

1.The Chief Judicial Magistrate,
Dharmapuri.

2.The Section officer,
V.R. Section, High Court, Madras.

MP(CO)
CB(29/09/2020)

Cr1 RC.No.480 of 2014