

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2020

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No. 23921 of 2019

and

Crl.M.P.Nos.12644 & 12646 of 2019

Krishnakumar Rajan Nair
No.2355, Dattawadi, 1st street, Near Chirag Vidyalaya,
Post-Boisar, Tal-Dist-Palghar,
Thane District,
Maharashtra State-401 501. Petitioner/Respondent

Vs.

1.C.Bindu
W/o.Krishnakumar Rajan Nair
No.31, High School,
Mitnamalli,
Alathur, Chennai.1st Respondent/Petitioner

2.Sameer
S/o.Not Known
No.31, High School,
Mitnamalli,
Alathur, Chennai. 2nd Respondent/Proposed 2nd Respondent

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the Judicial Magistrate at Ambattur to number the unnumbered impleading application, which was filed in connection with the application in Crl.M.P.S.R.No.3733 of 2019 in M.C.No.35 of 2018.

For Petitioner : Mr.S.Kingston Jerold

For Respondents : No appearance

O R D E R

This petition has been filed to direct the learned Judicial Magistrate at Ambattur to number the unnumbered impleading application, which was filed in connection with the application in Crl.M.P.S.R.No.3733 of 2019 in M.C.No.35 of 2018.

2. The learned counsel for the petitioner submitted that the first respondent is living with the another person and as such he made allegation of adultery. Therefore, the petitioner wants to implead the concerned person who is having illegal intimacy with the first respondent herein. Therefore, he filed the petition to impleade the person in M.C.35 of 2008.

3. It is seen that it is the case of maintenance filed by the wife and minor son as against the petitioner herein. Therefore, the other person is not necessary party to this proceedings. Therefore, the trial Court rightly dismissed the petition, as such this Court does not find any illegality or irregularity in the order passed by the trial Court.

4. Accordingly, this Criminal Original Petition is dismissed. However, the petitioner is at liberty to examine the said person as witness, if so advised.

Sd/-

Assistant Registrar(ADI MDU)

//True copy//

Sub Assistant Registrar

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To

The Judicial Magistrate,
Ambattur.

CrI.O.P.No. 23921 of 2019
and

CrI.M.P.Nos.12644 & 12646 of 2019

MR (CO)
GMY (09/09/2020)

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