



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Tuesday, the Eighteenth day of August Two Thousand Twenty

PRESENT

**The Hon`ble Mrs.Justice R.THARANI**

CRL MP(MD) No.2867 of 2020  
in  
CRL RC(MD)No.SR9205 of 2020

1 ASIQ ALI  
2 NOORJAHAN  
3 RUBIA BANU  
4 ABDUL HAKEEM  
5 ABBAS MANTHIRI  
6 KAMARNISHA  
7 IRFANA FATHIMA

... PETITIONERS/PETITIONERS/  
RESPONDENTS

Vs

1 SHEIK PARITHA  
2 MOHAMED ATHIFF

...RESPONDENTS/ RESPONDENTS/  
PETITIONERS

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to condone the delay of 702 days in M.C.No.14 of 2014 order dated 12.1.2018 on the file of Judicial Magistrate Court, Ottanchatram in filing the above Criminal Revision.

**PRAYER IN CRL RC(MD)No.SR9205 of 2020:**

Pleased to call for the records relating to the order dated 12.01.2018 in M.C.No.14 of 2014 on the file of Judicial Magistrate Court, Ottanchatram and set aside the same as illegal.

**Order :** This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.J.SULTHAN BASHA, Advocate M/S.AJMAL ASSOCIATES, Advocate for the petitioners and of Mr.THIRUMURUGAN, Advocate on behalf of the Respondent 1 and No Appearance either in person or by an Advocate for R2, the court made the following order:-

This petition has been filed to condone the delay of 702 days in M.C.No.14 of 2014 dated 12.01.2018 on the file of the learned Judicial Magistrate, Ottanchatram.



2.On the side of the petitioner, it is stated that the petitioner is ready to deposit 25% of the arrears amount and he undertakes to pay 25% of the maintenance amount without fail.

3.On the side of the first respondent, it is stated that the petitioner failed to pay even a single penny towards the maintenance and there is a delay of two years in filing this petition and the learned counsel for the respondent raised objections in allowing the petition.

4.In view of the above submission made by both the counsel, this Court is inclined to allow the petition on following condition:

The petitioner is directed to deposit 50% of the arrears amount within a period of two months from the date of receipt of copy of this order. The petitioner is directed to pay 50% of the monthly maintenance amount on or before 10<sup>th</sup> of every month. Failing which, this petition shall be dismissed automatically.

5.Hence, this petition is allowed.

sd/-  
18/08/2020

/ TRUE COPY /

/08/2020  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

- 1.THE JUDICIAL MAGISTRATE, OTTANCHATRAM.
- 2.DO THROUGHT THE CHIEF JUDICIAL MAGISTRATE,  
DINDIGUL DISTRICT.

ORDER  
IN  
CRL MP (MD) No.2867 of 2020  
in  
CRL RC (MD) No.SR9205 of 2020  
Date :18/08/2020

MRN  
TK/AKM/SAR.2/20.08.2020/2P/3C