



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

Tuesday, the Fifteenth day of December Two Thousand and Twenty
PRESENT

The Hon'ble Mr. Justice G.K.ILANTHIRAIYAN

CRL MP(MD). No.3697 of 2020

in

CRL OP(MD).No.6186 of 2018

C.Shajan

...Petitioner/3rd Party/1st Respondent

Vs

1 The Chirsthu Das

2 Leelabai

...Respondents1 &2/Petitioners/Respondents

3 Jasphindeepa

...3rd Respondent/Respondent/Petitioner

Prayer in CRL MP(MD). No.3697 of 2020:-

Criminal Miscellaneous Petition filed under section 482 of Criminal Procedure Code, praying this Court to modify the order dated 21.10.2019 made in Crl.OP(MD).No.6186 of 2018 so as to recall the direction given to the petitioner regarding maintenance amount to be paid to the 3rd Respondent/Respondent in D.V.C.No.4 of 2016, on the file of the Judicial Magistrate Court No.II, Kuzhithurai.

Prayer in CRL OP(MD).No.6186 of 2018 :

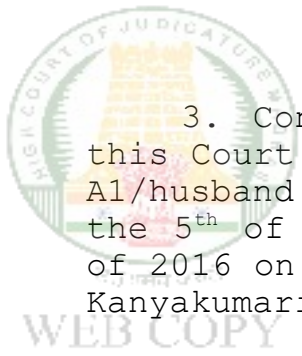
Criminal Original Petition filed under section 482 of Criminal Procedure Code, praying this Court to call for the records relating to the proceedings in D.V.C. No.4 of 2016 on the file of the Judicial Magistrate No.II, Kuzhithurai, Kanyakumari District and quash the same as it has no prima facie case as against the petitioners.

ORDER:-

Criminal Miscellaneous Petition coming up for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.B.Tamilnidhi, Advocate for the Petitioner and of Mr.Ananth C.Rajesh, Advocate for respondent 1 &2 this Court made the following order:

This Criminal Miscellaneous Petition has been filed to modify the order passed in Crl.O.P(MD)No. 6186 of 2018 dated 21.10.2019 as to recall the direction given to the petitioner regarding maintenance amount to be paid to the third respondent in DVC No. 4 of 2016.

2. The learned counsel for the petitioner would submit that he is already paying Rs.6000/- as monthly maintenance to the complainant in DVC No.4 of 2016 in I.D.O.P No. 147 of 2016 on the file of the learned Principal District Judge, Kanyakumari at Nagercoil.



3. Considering the above submission the condition imposed by this Court in Crl.O.P(MD) No.6186 of 2018 dated 21.10.2019 directing A1/husband of the respondent to deposit a sum of Rs.5000/- before the 5th of every English Calendar month to the credit of D.V.C.No.4 of 2016 on the file of the learned Judicial Magistrate, Kuzhithurai, Kanyakumari District shall stand deleted.

4. This petition is ordered accordingly

Sd/-

Assistant Registrar (CSIII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

1.The Judicial Magistrate NoII, Kuzhithurai,
Kanniyakumari.

2.The Chief Judicial Magistrate,
Nagercoil, Kanniyakumari District.

+1CC TO Mr.C.Kishore,Advocate, SR.No 25897

CRL MP(MD) . No.3697 of 2020
in
CRL OP(MD) .No.6186 of 2018
15.12.2020

KB(22.12.2020) 2P 4C