



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Tuesday, the Twenty Third day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL MISCELLANEOUS PETITION No.11759 of 2021

IN CRL.R.C.No.97 of 2020

1 INDHU PRIYA [PETITIONER/RESPONDENTS ]  
2 THANGIRA  
D/O.SIVAKUMAR,  
REP BY HER MOTHER AND NATURAL GUARDIAN  
INDHUPRIYA

Vs

MR.SIVAKUMAR [ RESPONDENT ]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

(i) To permit the petitioners to withdraw a sum of Rs.6,00,000/- deposited by the respondent on 12.02.2020 bearing the Reciept No. 229407 in the Credit of M.C.No.180 of 2017 on the file of Family Court, Coimbatore.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.C.PRABAKARAN, Advocate for the petitioner, and of M/S.R.MITHRA, Advocate on behalf of the Respondent, the court made the following order:-

This petition has been filed to withdraw the amount deposited by the respondent on 12.02.2020 bearing Receipt No.229407 in the credit of MC.No.180 of 2017 on the file of Family Court, Coimbatore.

2. The learned counsel for the petitioner would submit that the petitioner along with her daughter/second petitioner had filed MC.No.180 of 2017 before the Family Court, Coimbatore seeking for maintenance under Section 125 Cr.PC. The Family Court by an order dated 20.11.2019 passed a direction to the respondent/husband to pay a sum of Rs.50,000/- each to the petitioners from the date of filing of the MC. He would further submit that till date the respondent has not paid any amount, as on September 2021 a sum of Rs.40,35,483/- is due towards arrears of maintenance.

3. In the meanwhile, the respondent/husband has preferred  
<https://hcservices.ecourts.gov.in/hcservices/>  
CRL.RC.No.97 of 2020 before this Court. This Court while admitting



the revision had passed a conditional order directing the respondent/husband to deposit a sum of Rs.6,00,000/- to the credit of MC.No.181 of 2017. The respondent has also deposited the said amount before the Family Court on 12.02.2020 vide Receipt No.229407. Thereafter, the petitioners have filed a memo before the Family Court, Coimbatore, seeking permission to withdraw the amount deposited by the respondent/husband. The Family Court had returned the petition stating that there is no specific direction from this Court and thereby the present petition has been filed seeking for a direction to permit the petitioners to withdraw the sum of Rs.6,00,000/- deposited before the Family Court. He would further submit that the petitioners are suffering without any amount being paid towards maintenance.

4. The learned counsel for the respondent submits that the respondent/husband has no objection for the amount being paid to the petitioners.

5. Heard the counsel and perused the materials available on record.

6. In view of the above, the criminal miscellaneous petition is ordered and the petitioners are permitted to withdraw the amount of Rs.6,00,000/- deposited by the respondent/husband on 12.02.2020 vide Receipt No.229407 in the credit of MC.No.180 of 2017 on the file of Family Court, Coimbatore.

-sd/-

23/11/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE FAMILY COURT,  
COIMBATORE.

C.C. to M/S. C.PRABAKARAN Advocate on payment of necessary charges

Order

in

CRL MP.11759/2021

in

CRL RC.97/2020

Date :23/11/2021

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