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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2021

C O R A M

THE HON'BLE MR. JUSTICE KRISHNAN RAMASAMY

CRL.OP.No.8268 of 2017
and
CRL.M.P.No.5937 of 2017

Parthipan

...Petitioner

Vs

Sumathi

...Respondent

Prayer Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, prayed to transfer the Maintenance Petition under Section 125 Cr.P.C in M.C.No.16 of 2015, pending on the file of the Judicial Magistrate Court, Dharapuram to Judicial Magistrate Court, Palani.

For Petitioner : No Appearance

For Respondent : Mr.M.Lokesh

ORDER

When the matter was taken up for hearing on 28.10.2021, none appeared on behalf of the petitioner. Therefore, this Court directed the Registry to list the case on 02.11.2021, under the caption "for dismissal". Accordingly, the matter is listed today, today also there is no representation for the petitioner.

2.The learned counsel appearing for the respondent submitted that the Maintenance Petition in M.C.No.16 of 2015, itself disposed of on 30.05.2018, therefore, nothing survives for further adjudication in the present case. Hence, prayed to dismiss the Criminal Original Petition as infructuous.

3.This Court is of the view that since the main M.C., itself disposed of, the petitioner does not shows any interest to appear before this Court and this Court is not inclined to dismiss the case as infructuous during the non-appearance of the



petitioner. Hence, this Criminal Original Petition is dismissed for non-prosecution. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

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To:

1. The Judicial Magistrate,
Dharapuram.
2. The Judicial Magistrate Court,
Palani.

CRL.OP.No.8268 of 2017
and
CRL.M.P.No.5937 of 2017

AD(CO)
RGA(24/11/2021)