



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.R.C.No.1250 of 2018

And

Crl.M.P.No.14838 of 2018

Sudharsan Muniraja

... Petitioner/Respondent

Vs.

Anuradha

... Respondent/Petitioner

Prayer:

Petition filed under Sections 397 and 401 of Cr.P.C., seeking to call for the records and set aside the order dated 06.09.2018 made in Cr.M.P.No.3381 of 2017 in M.C.No.12 of 2014 on the file of the learned Judicial Magistrate No.1 (Full Additional Charge), Attur by allowing the criminal revision petition before this Hon'ble Court.

For Petitioner : Mr.N.Manokaran

O R D E R

The petitioner has filed this petition seeking to set aside the order dated 06.09.2018 made in Cr.M.P.No.3381 of 2017 in M.C.No.12 of 2014 on the file of the learned Judicial Magistrate No.1 (Full Additional Charge), Attur.

2.The case of the petitioner is that the marriage between the petitioner and the respondent was solemnized on 08.11.2006 and they lived together only for one month. Thereafter, the respondent deserted the petitioner and filed M.C.No.12 of 2014 under Section 125 of Cr.P.C. before the learned Judicial Magistrate No.1, Attur, seeking maintenance and after adjudication, a sum of Rs.8,000/- per month was awarded as maintenance to the respondent. Thereafter, the respondent filed Cr.M.P.No.3381 of 2017 in M.C.No.12 of 2014 seeking recovery of arrears for the period between 26.08.2015 and 25.08.2016 and vide order dated 06.09.2018 made in the said petition, the learned Judicial Magistrate No.1 (Full Additional Charge),



Attur, sentenced the petitioner to undergo 11 months simple imprisonment. Aggrieved by the same, the petitioner has filed this revision.

3.The learned counsel appearing for the petitioner would submit that during the pendency of this petition, the petitioner has deposited a sum of Rs.2,18,000/- in favour of the respondent.

4.Though this Court has entertained this revision as early as on 09.11.2018 and notice has been served on the respondent, the respondent has not chosen to enter appearance either in person or through counsel. Hence, this Court is inclined to decide the revision based on the submission made by the learned counsel appearing for the petitioner.

5.Considering the facts and circumstances of the case, this Court directs the petitioner to deposit the entire arrears amount accrued as on date to the credit of M.C.No.12 of 2014 before the learned Judicial Magistrate No.1, Attur, if any. On such deposit being made, the learned Judicial Magistrate No.1, Attur, shall proceed in accordance with law and pass appropriate orders.

6.With the above direction, this revision is dismissed. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-IX)

// True Copy//

Sub Assistant Registrar

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To

1. The Judicial Magistrate No.1
(Full Additional Charge),
Attur.

+1cc to Mr.N.Manokaran, Advocate, S.R.No.37987

Cr1.R.C.No.1250 of 2018
And
Cr1.M.P.No.14838 of 2018

NMI (CO)
SU(01/09/2021)