



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

Friday, the Tenth day of December Two Thousand and Twenty One

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

Crl.M.P. (MD)No.6596 of 2021
in
Crl.R.C. (MD)No.595 of 2021

P.MAHESH @ MAHESHWARAN

... PETITIONER/ PETITIONER

Vs

1 M.DIVYA

2 SABLISH KUMAR (MINOR)
(REPRESENT THRO HER MOTHER M.DIVYA)

3 SIJES KUMAR (MINOR)
(REPRESENT THRO HER MOTHER M.DIVYA) ... RESPONDENTS/
RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to stay the further progress of the Mc.No.7 of 2019 dated 29.03.2021 on the file Learned Magistrate, Rameswaram, Ramanathapuram District pending disposal of this Criminal Revision Petition before this Honble Court.

Prayer in CRL RC(MD). 595 of 2021 :

To call for records pertaining to the order passed in MC.No.7 of 2019 dated 29.03.2021 on the file of the Learned Judicial Magistrate, Rameswaram, Ramanathapuram District and set aside the same as illegal.

Order :This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of MR.SUNDAR.R., Advocate for the petitioner and of MR.D.BALAMURUGAPANDI, Advocate on behalf of the Respondents the court made the following order:-

This petition has been filed to stay the further proceedings of the order, in M.C.No.7 of 2019, dated 29.03.2021, on the file of the learned Judicial Magistrate, Rameswaram, Ramanathapuram District, till the disposal of the Criminal Revision Case.



amount and half of the arrears amount and prayed to grant interim stay of the proceedings.

3. In view of the submission made by the learned counsel for the petitioner, this Court is inclined to grant interim stay till the disposal of the criminal revision case on condition that the petitioner has to deposit 50 % of the arrears amount within a period of one month from the date of receipt of a copy of this order before the trial Court and the petitioner is further directed to deposit 50% of the monthly maintenance amount on or before Seventh of every English Calendar month before the learned Judicial Magistrate, Rameswaram, Ramanathapuram District, failing which, the interim stay already granted stands automatically vacated. On such deposit, the first respondent/wife is permitted to withdraw the same.

4. In the above circumstances, this petition is allowed.

sd/-
10/12/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE,
RAMESWARAM, RAMANATHAPURAM.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

ORDER
IN
Crl.M.P. (MD) No.6596 of 2021
in
Crl.R.C. (MD) No.595 of 2021
Date :10/12/2021

VB/JM/SAR-II/15.12.2021/2P/3C