



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

Wednesday, the Twenty Second day of December Two Thousand and Twenty One

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL MP(MD) No.6614 of 2021

in

CRL RC(MD) No.598 of 2021

P.K.MOHAMMED SHA

... PETITIONER/PETITIONER

Vs

P.S.MOHAMMED AFRIN BANU

... RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to grant the interim stay against the further proceedings of M.C.No.71 of 2019 on the file of the Family Court, Tirunelveli passed on 04/05/2021 till the disposal of the main Crl.RC

PRAYER IN CRL RC(MD) No.598 of 2021:

Pleased to call for the records relating to the grant of maintenance passed in M.C.No.71 of 2019 dated 04.05.201 on the family Court, Tirunelveli directing the husband to pay a sum of Rs.7500/- as monthly maintenance to the wife from the date of filing the petition on 16.09.2019 to till the time fixed for reunion in the Restitution of Conjugal Rights petition in O.S.No.25 of 2019 filed by the husband and to set aside the same by allowing the Criminal Revision Petition.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.ABIYA.K, Advocate for the petitioner and of Mr.N.PRAGALATHAN, Advocate on behalf of the Respondent while admitting the CRL RC., the Court made the following order:-

This petition has been filed to stay the further proceedings of the order, in M.C.No.71 of 2019, dated 04.05.2021, on the file of the Family Court, Tirunelveli, till the disposal of the Criminal Revision Case.

2.On the side of the petitioner, it is stated that the petitioner-husband is ready to deposit 50% of the monthly maintenance amount and 50% of the arrears amount and prayed to grant interim stay of the proceedings.



3. On the side of the respondent, it is stated that the respondent-wife may be permitted to withdraw the deposited amount.

4. 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 four weeks **from today** before the trial Court and the petitioner is further directed to deposit 50% of the monthly maintenance amount on or before the fifth day of every English Calendar month before the Family Court, Tirunelveli, failing which, the interim stay already granted stands automatically vacated.

5. On such deposit being made, the respondent-wife is to withdraw the deposited amount.

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

sd/-

22/12/2021

/ 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

THE JUDGE,
FAMILY COURT, TIRUNELVELI.

+1. C.C. to M/S.ABIYA.K Advocate SR.No.9617

+1. C.C. to Mr.N.PRAGALATHAN Advocate SR.No.9674

ORDER

IN

CRL MP(MD) No.6614 of 2021

in

CRL RC(MD) No.598 of 2021

Date : 22/12/2021

SS/CN/SAR-I/28.12.2021 : 2P/4C