



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2022

CORAM

THE HON'BLE Mr. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.5006 of 2016

and

Crl.M.P.Nos.2624 & 2625 of 2016

1.Dr. Prasanna
2.R. Kuzhalvanan
3.Kalpana
4.K. Deepa
5.C. Pandian
6.K. Vinoya

... Petitioners/ Respondents

Vs.

Raja Subashini

... Respondent / Complainant

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in M.C.No.19 of 2014 on the file of the learned Judicial Magistrate-cum-Additional Mahila Court, (Magistrate Level), Cuddalore and quash the same.

For Petitioners: Mr. S. Sadasharam

For Respondent : Mr. R. Karthikeyan

ORDER

When the matter is taken up for hearing, the learned counsel for the petitioners submitted that he may be permitted to withdraw the Crl.O.P.No.5006/2016.

2. The learned counsel appearing for the respondent opposed the request of the learned counsel for the petitioners on the ground that there is a direction passed by this Court on 08.12.2021 "directing the petitioners to pay the entire arrears of maintenance ordered by this Court on 29.11.2016 on or before 21.12.2021".

3. In reply, learned counsel for the petitioners submitted that the order dated 29.11.2016 was passed in stay petition and if the order is not complied, the only option is to vacate the stay. Therefore, he reiterated the request for



withdrawal of this criminal original petition.

4. When the learned counsel for the petitioners chose to withdraw the CrI.O.P, this Court has no option except to accept his request, unless there are grounds to reject the request. This criminal original petition was filed in 2016 and it is pending till 2021 with an order of stay. Because of pendency of this CrI.O.P., proceedings before the trial Court is also pending.

5. Now the petitioners have chosen to withdraw the petition. Therefore, this Court directs the petitioners to pay the costs of Rs.25,000/- to the respondent within a period of one month from today. Petitioners are permitted to withdraw this petition. The learned Mahila Court Judge is directed to dispose of the M.C.No.19 of 2014, within a period of three months from the date of receipt of copy of this order.

6. With the above direction, this criminal original petition is dismissed as withdrawn. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

AT

To

1.The Judicial Magistrate-cum-Additional Mahila Court,
(Magistrate Level), Cuddalore.

2.Do Through The Chief Judicial Magistrate,
Cuddalore.

+lcc to Mr.R.Karthikeyan, Advocate, S.R.No.8169

+lcc to Mr.S.Sadasharam, Advocate, S.R.No.8172

CrI.O.P.No.5006 of 2016 and
CrI.M.P.Nos.2624 & 2625 of 2016

KG(CO)
SB(23/02/2022)