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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20/6/2022

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

CRL. O.P. NO.9387 OF 2022

Veeraraghavan

... Petitioner

Vs

Vennila

... Respondent

PRAYER :

Criminal Original Petition filed under Section 482 Cr.P.C., to set aside the order dated 21/6/2019 passed in Criminal Revision Case No.7 of 2017 on the file of the learned Principal District and Sessions Judge, Chengelpet and permit the petitioner to conduct the said Criminal Revision case.

For Petitioner ... Mr.R.Sampath Kumar

For Respondent ... Mr.D.R.Arunkumar

O R D E R

This Criminal Original Petition has been filed to set aside the order, dated 21/6/2019, passed in Criminal Revision Case No.7 of 2017, on the file of the learned Principal District and Sessions Judge, Chengelpet and permit the petitioner to conduct the said Criminal Revision case.

2. Heard Mr.R.Sampathkumar, learned counsel for the petitioner and Mr.D.R.Arunkumar, learned counsel for the respondent.

3. From the materials available on record, it could be deduced that the petitioner had filed Criminal Revision Petition No.7 of 2017, to set aside the order passed by the learned District Munsif-cum-Judicial Magistrate, Thirukazhukundram, in M.C.No.2 of 2015, dated 41/2017. The same was put under challenge in Criminal Revision Case No.7 of 2017. The learned Principal Sessions Judge, Kancheepuram District, Cuddalore, dismissed the petition on the ground of no appearance.



4. The learned counsel appearing for the petitioner submitted that the petitioner is ready to pay 1/4th of the amount awarded, before the revisional Court and he may be given a chance to argue his case on merits.

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5. Without going into the merits of the case, this Court is inclined to set aside the order of the revisional Court, subject to the deposit of Rs.2,00,000/- (Rupees Two lakhs only) towards the arrears of the maintenance amount, as ordered by the trial Court.

6. With the above direction, this Criminal Original Petition is allowed and the order of the revisional Court is set aside, provided Rs.2,00,000/- (Rupees Two lakhs only) is deposited before the trial Court, preferably within a period of two months from today, and on such deposit being made, the trial Court shall restore the Criminal Revision Petition No.7 of 2017 and decide on its own merits.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

mvs.

To

1. The Principal District and Sessions Judge,
Chengelpet.
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.D.R.Arunkumar, Advocate, S.R.No.37282

Crl. O.P. No.9387 of 2022

RSV(CO)
PM/01/07/2022