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Crl.M.P.No.9752 of 2021
in
Crl.O.P.No. 4462 of 2020

G.K.ILANTHIRAIYAN, J.

This Criminal Miscellaneous Petition has been filed to recall the order dated 06.08.2020 passed by this Court in Crl.O.P.No.4462 of 2020 thereby quashed the proceedings in DVC No.30 of 2019 pending on the file of the Chief Judicial Magistrate, Puducherry.

2. While allowing the Crl.O.P.No.4462 of 2020, this Court imposed a condition that the petitioners therein shall ensure that the A1/husband of the respondent shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) before 5th of every English Calender month to the credit of DVC No.30 of 2019 on the file of the Judicial Magistrate, Puducherry, as ad-interim maintenance, without prejudice to both the parties, failing which, the order shall stand automatically cancelled. Further, this Court directed the first accused to appear before the trial Court on the next hearing date, failing which, the respondent is at liberty to approach this Court.



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3. The learned counsel for the petitioner/wife would submit that both the conditions imposed by this Court have not been complied with by the respondents. It is clarified that already this Court while imposing both the conditions had clearly indicated that, if the respondents failed to comply with the conditions imposed, the order of quashment shall stand automatically cancelled. Accordingly, the Trial Court is directed to proceed with the trial as against the respondents.

4. With the above clarification, this miscellaneous petition is ordered.

07.01.2022

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