



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.M.P.(MD) No.2161 of 2022

in

Crl.R.C(MD)SR.No. 5590 of 2022

R.Chinnappa

...Petitioner/Petitioner

Vs.

1. Kannammal

2. Gowri

...Respondents/Respondents

PRAYER in Crl.M.P(MD)No.2161 of 2022: Criminal Miscellaneous Petition filed under Section 5 of Limitation Act, praying this Court to condone the delay of 983 days in filing the Criminal Revision Petition in Crl.R.C.(MD).SR.No.5590 of 2022.

Prayer In Crl.R.C.(MD)SR. No.5590 of 2022:This Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C. to call for the records pertaining in M.C.No.22 of 2013 on the file of Learned Judicial Magistrate, Aranthangi and set aside the order dated 07.04.2017.

For Petitioner : Mr.M.Ramu
For R1 and R2 : Mr.R.Prasanna

ORDER

This petition has been filed to condone the delay of 983 days in filing the above criminal revision as against the order of maintenance in MC No. 22 of 2013 on the file of the learned Judicial Magistrate, Aranthangi, thereby ordering maintenance to pay a sum of Rs.1500/- in favour of the first respondent and Rs.2000/- in favour of the second respondent.

2. On perusal of the record, it reveals that the the petitioner is the husband and the first respondent is the wife and they got married on 11.06.1992 and due to the wedlock they gave birth to the second respondent herein. Due to dowry demand the respondents were driven out from the matrimonial home. Thereafter the petitioner did not take care of the respondents, hence the respondents were constrained to file a petition for maintenance. Accordingly the Court below after considering the evidence of the first respondent and documents produced by her ordered to pay a sum of Rs.1500/- in favour of the first respondent and Rs.2000/- in favour of the second respondent as monthly maintenance.



3. This Court feels that the maintenance ordered by the Court below is very meagre and this Court finds no merits in the main revision case. That apart on perusal of the affidavit filed for condoning the delay of 983 days in filing the revision reveals that there is absolutely no reason stated by the petitioner to condone such a huge delay of 983 days, in filing the Criminal Revision and no useful purpose will be served in allowing the condone delay petition.

4. In view of the same, this Criminal Miscellaneous Petition is dismissed. Consequently Crl.RC(MD) Sr.No.5590 of 2022 stands rejected.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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, Aranthangi.

+1 CC to M/s.R.PRASANNA, Advocate (SR-12342[F] dated 15/03/2022)

Crl.M.P. (MD) No.2161 of 2022
in

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RK(23/03/2022) 2P 3C