



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2022

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C. (MD)No.197 of 2022

and

Crl.M.P(MD)No.2917 of 2022

WEB COPY

Nelakandan ... Revision Petitioner/Respondent/Respondent

Vs.

1. N.Kalarani

2. Manimozhi

3. Minor. Gayathri ... Revision Respondents 1 to 3/
Petitioners Nos 1 to 3/
Petitioners Nos 1 to 3

**(Represented by her natural
guardian mother, the first respondent herein)**

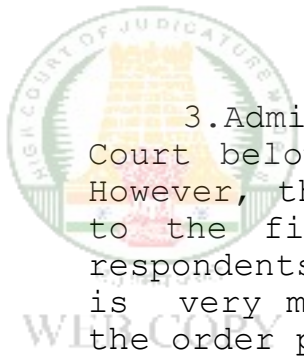
Prayer: This Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C. to call for the records from the lower court order in Crl.M.P.No.1173 of 2018 dated 26.02.2021 in M.C.No.81/2013 on the file of the Chief Judicial Magistrate Court, Dindigul and duly set aside the same.

For Petitioner : Mrs.S.Ragaventhree

ORDER

The petition has been filed to set aside the order passed by the learned Chief Judicial Magistrate Court, Dindigul in Crl.M.P.No.1173 of 2018, dated 26.02.2021 in M.C.No.81/2013, thereby, directed the petitioner to pay the arrear of Rs.1,94,000/-.

2.The petitioner is the husband and the first respondent is the wife. They got married on 27.06.1996 and gave birth to the second and third respondents herein. Thereafter, due to misunderstanding, they got separated, and now, they are living separately. The respondents filed maintenance in M.C.No.81 of 2013 and by order dated 15.09.2016, the Court below ordered to pay a sum of Rs.3,000/- to the first respondent and Rs.1,500/- to the respondents 2 and 3 (each) herein. Thereafter, the petitioner failed to comply with the said order and also did not challenge the order passed by the learned Magistrate in M.C.No.81 of 2013. Therefore, the respondents filed a petition under Section 128(3) of Cr.P.C for execution of that order as against the petitioner herein, in Cr.M.P.No.1173 of 2018.



3. Admittedly, the petitioner is in arrears and as such, the Court below rightly directed to pay the arrears of Rs.1,94,000/-. However, the Court below ordered only a sum of Rs.3000/- to be paid to the first respondent and Rs.1500/- to the second and third respondents (each) herein, who are aged about 19 and 17 years, which is very meagre and this Court finds no infirmity or illegality in the order passed by the Court below.

4. In view of the above, this criminal revision case is dismissed. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

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 Chief Judicial Magistrate,
Dindigul.
2. The Additional Public Prosecutor,
Madurai bench of Madras High Court,
Madurai.

COPY TO:-

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai. (2 COPIES)

Crl.R.C.(MD)No.197 of 2022
02.03.2022

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