



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the First day of April Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL MP(MD) No.4204 of 2022

IN

CRL RC(MD) No.28 of 2022

LAKSHMI

... PETITIONER/RESPONDENT

Vs

MUTHURAJ

... RESPONDENT/PETITIONER

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to permit the petitioner to withdraw a sum of Rs.2 lakhs deposited by the respondent in the credit of M.C.No. 27 of 2008 on the file of family court, Nagercoil, Kanyakumari District

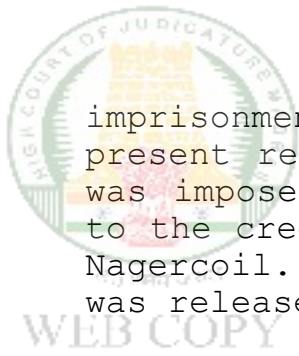
Prayer in CRL RC(MD) . 28/ 2022 :

To set aside the order passed in Crl.MP.No.91 of 2018 in Mc.No.27 of 2008 dt.5.10.2021 filed by the Respondent on the file of the Learned Family Court, Nagercoil.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.XAVIER RAJINI.S, Advocate for the petitioner and of M/S.MOHAN GANDHI.S.M, Advocate on behalf of the Respondent, the Court made the following order:-

This petition has been filed to permit the petitioner to withdraw a sum of Rs.2,00,000/- deposited by the respondent to the credit of M.C.No.27 of 2008 on the file of the Family Court, Nagercoil, Kanyakumari District.

2.The petitioner filed a maintenance case in M.C.No.27 of 2008 on the file of the learned Chief Judicial Magistrate, Kanyakumari District at Nagercoil and the same was ordered in favour of the petitioner and directed the respondent to pay a sum of Rs.3,000/- per month as maintenance from the date of the petition. However, the respondent did not comply the same and as such, the petitioner was constrained to file a petition in C.M.P.No.91 of 2018, in which, the respondent was arrested and sentenced him to undergo 11 months



imprisonment. Aggrieved by the same, the respondent preferred this present revision and this Court, while suspending the sentence, he was imposed condition that he shall deposit a sum of Rs.2,00,000/- to the credit of M.C.No.27 of 2008 on the file of the Family Court, Nagercoil. Accordingly, the respondent deposited the amount and he was released on bail.

3.The petitioner, being the wife of the respondent, is entitled for maintenance and the said amount is nothing but arrears of maintenance and as such, the petitioner is entitled to withdraw the same.

4.In view of the above, the petitioner is permitted to withdraw the same. The Court below is directed to disburse the deposited amount to the petitioner, after verifying her identification. Accordingly, this petition is ordered.

sd/-

01/04/2022

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/ /2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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

THE JUDGE,
FAMILY COURT, NAGERCOIL, KANYAKUMARI DISTRICT.

+1. C.C. to M/S.XAVIER RAJINI S Advocate SR.No.16257

ORDER

IN

CRL MP(MD) No.4204 of 2022

IN

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Date :01/04/2022

(2/2)

SS/SVR/SAR:IV/06.04.2022 : 2P/3C