



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE **V.SIVAGNANAM**

Crl.O.P. (MD) No.8924 of 2022

and

Crl.M.P. (MD) No.5968 of 2022

M.Suresh

... Petitioner

Vs

1.P.Priyadharsini

2.Minor Sri Ajay

3.Minor Rishi Gowtham

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records and set aside the order passed by the learned Family Court, Tirunelveli in Crl.M.P.No.93 of 2022 in M.C.No.1 of 2019 on 11.04.2022.

For Petitioner : Mr.M.Jothi Basu

ORDER

This Criminal Original Petition has been filed to set aside the order passed by the learned Family Judge, Tirunelveli in Crl.M.P.No.93 of 2022 in M.C.No.1 of 2019 dated 11.04.2022.

2.The learned counsel appearing for the petitioner submits that the 1st respondent/wife filed M.C.No.1 of 2019 before the Family Court, Tirunelveli as against the petitioner/husband claiming maintenance. During the pendency of the aforesaid petition, the petitioner filed applications in Crl.M.P.Nos.92 and 93 of 2022 before the very same Court to re-call P.W1 for further cross-examination and to reopen the main case, which was later dismissed by the trial Court on 11.04.2022. Challenging the same, the petitioner has filed this petition.

3.On perusal of the records, it is seen that in the aforesaid cases, the witnesses have already been examined and the arguments of the case on either side was already over.



4.Under these circumstances, I find that there is no merit to entertain this Criminal Original Petition and accordingly, it is dismissed. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The Presiding Officer,
Family Court,
Tirunelveli.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.C.M.LAW OFFICE (M.Jothi Basu), Advocate(SR-24768[F]
dated 09/06/2022)

Crl.O.P. (MD) No.8924 of 2022
08.06.2022

MGJ(21.06.2022) 2P 4C