



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C. (MD) No.857 of 2021

and

Crl.M.P. (MD) .No.10066 of 2021

Muthuraman

...Petitioner/Respondent/Respondent

Vs.

Manimala

...Respondent/ Petitioner/ Petitioner

PRAYER: Criminal Revision Case filed under Section 397 and 401 Cr.P.C. praying to call for the records and set aside the order passed in Criminal Miscellaneous Petition in Crl.M.P.No.663 of 2019 in D.V.O.P.No.20 of 2018, dated 06.11.2019 on the file of the Learned Judicial Magistrate No.I, Tirunelveli and consequently the order passed in Criminal Appeal in Crl.A.No.117 of 2019 dated 03.03.2021 on the file of the Learned 3rd Additional District Court, Tirunelveli.

For Petitioner : Mr.Thalaimutharasu.G

For Respondent : Mr.K.Veilmuthu

ORDER

This Criminal Revision Case has been filed challenging the interim maintenance ordered in the Domestic Violence Complaint by the learned Judicial Magistrate No.I, Tirunelveli in Cr.M.P.No.663 of 2019 in D.V.O.P.No.20 of 2018, dated 06.11.2019 and also the order passed by the learned 3rd Additional District Court, Tirunelveli in Crl.A.No.117 of 2019 dated 03.03.2021.

2. The learned counsel for the petitioner submitted that the domestic violence complaint itself is not maintainable and as such, the interim order passed by the Court below cannot be sustained and it is liable to be set aside.

3. On perusal of the complaint lodged by the petitioner, there are so many allegations as against the petitioner and while pending the said complaint, the respondent filed a petition for interim maintenance. After considering the salary received by the petitioner, the Court below ordered maintenance for a sum of Rs.7000/- (Rupees Seven Thousand only) per month till the disposal of the Domestic Violence Complaint. The petitioner filed an appeal in Crl.A.No.117 of 2019 on the file of the learned 3rd Additional District Court, Tirunelveli and the same was dismissed.



4. Therefore, this Court finds no infirmity or illegality in the orders passed by the Courts below. This Criminal Revision Case is dismissed. Consequently, connected miscellaneous petition stands closed.

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Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

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 No.I, Tirunelveli.
- 2.The Learned 3rd Additional District Court, Tirunelveli.

COPY TO:

The Section officer, Criminal Section,
Madurai Bench Of Madras High Court, Madurai. (2 COPIES)

CrI.R.C. (MD) No.857 of 2021
16.02.2022

RD(10.03.2022) 2P 5C