



CRL RC(MD). No.938 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATE : 26.09.2022

CORAM

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

CRL RC(MD) No.938 of 2022
and
Crl.M.P.(MD)No.11586 of 2022

S.John Peter

... Petitioner/Petitioner/Respondent

Vs

1.J.Jenisha Sundari
2.Minor.Jasfer Paul Vesta
3.Minor Jodon Paul Rhodes ...Respondents/Respondents/Petitioners

PRAYER: Criminal Revision Case is filed under Section 397 r/w 401 of the Criminal Procedure Code, to call for the records of the order passed by the learned Family Judge, Thoothukudi in Crl.M.P.(MD)No.332 of 2022 in M.C.No.43 of 2018 dated 12.08.2022 and set aside the same.

For Petitioner : Mr.N.Pragalathan

ORDER

This revision is filed seeking to set aside the order passed by the learned Family Judge, Thoothukudi in Crl.M.P.(MD)No.332 of 2022 in M.C.No.43 of 2018 dated 12.08.2022.



CRL RC(MD). No.938 of 2020

WEB COPY

2. While passing the order in Cr.M.P.No.332 of 2022 in M.C.No.43 of 2018, the learned Family Judge, Thoothukudi directed the petitioner to deposit a sum of Rs.2.94 lakhs on or before 31.08.2022 and list the matter for reporting compliance on 01.09.2022. On that date, the learned counsel for the revision petitioner submitted before the learned Family Judge that he had deposited a sum of Rs.1,00,000/- and sought further time to deposit the remaining amount. Hence, that petition was allowed on condition that the balance amount must be paid on or before 03.10.2022. Against the said order, the present revision has been filed.

3. The learned counsel appearing for the revision petitioner submitted that originally the maintenance case was filed in the year 2018 and *ex-parte* order was passed on 07.03.2019 directing the petition to pay a sum of Rs.7,000/-, each to the respondents herein, who are the wife and children of the revision petitioner.

4. It is seen from the records that there was default on the part of the revision petitioner in paying the monthly maintenance to the



CRL RC(MD). No.938 of 2020

respondents herein as ordered by the learned Family Judge in M.C.No.43 of 2018. It is also seen that the revision petitioner is running a Lathe shop and if it is so, the financial capacity of the petitioner seems to be good.

5.In view of the above, I find that there is no reason to interfere with the order that has been passed by the Family Court, Tuticorin. Accordingly, this Criminal Revision Case is dismissed. Consequently, connected miscellaneous petition is closed.

(G I J)
26.09.2022

ta

To

- 1.The learned Family Judge, Thoothukudi
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL RC(MD). No.938 of 2020

G.ILANGO VAN,J

ta

CRL RC(MD) No.938 of 2022
and
Crl.M.P.(MD)No.11586 of 2022

26.09.2022