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CrI.O.P.No.23321 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2023

CORAM:

THE HON'BLE Mr. JUSTICE SUNDER MOHAN

CrI.O.P.No.23321 of 2021
and CrI.M.P.Nos.12771 and 12772 of 2021

G. I. Prabhu

...Petitioner

Versus

B. Moniga

...Respondent

PRAYER : Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, seeking to allow this petition and quash the maintenance petition filed by the respondent in M.C.No. 9 of 2021 before the Hon'ble Judicial Magistrate at Mettupalayam.

For Petitioner : Mr.K.Chandru

ORDER

This petition is to quash the maintenance petition said to have been filed by the respondent in M.C.No.9 of 2021 before the learned Judicial Magistrate, Mettupalayam.



Crl.O.P.No.23321 of 2021

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2. It is submitted by the learned counsel for the petitioner that the maintenance petition filed by the respondent/complainant in M.C.No.09 of 2021 is not maintainable. The petitioner had filed a Counter in the said petition and no enquiry is conducted by the learned Judicial Magistrate, Mettupalayam.

3. This Court cannot quash a maintenance petition on the grounds raised by the learned counsel for the petitioner. Hence, this Court is not inclined to entertain this petition. However, it is open for the petitioner to raise his defence in the maintenance petition before the learned Judicial Magistrate, Mettupalayam.

4. With the above observations, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petitions are closed.

20.06.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation Case: Yes/No
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Crl.O.P.No.23321 of 2021

To
The Judicial Magistrate,
Mettupalayam.



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SUNDER MOHAN, J.

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