



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

Tuesday, the Seventh day of March Two Thousand and Twenty Three

PRESENT

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

CRL MP(MD) No.2912 of 2023

IN

CRL OP(MD) No.2334 of 2020

1 SAKTHIVEL

2 PALANIYAMMAL

... PETITIONERS/PETITIONERS

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
MUSIRI, TRICHY DISTRICT
(CRIME NO.2 OF 2020)

... RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to modify the condition imposed by this Honble Court in Crl.OP(MD)No.2334 of 2020 dated 11.02.2020 as the petitioners come forward to remit a sum of Rs.5000/- as monthly maintenance in the bank account of the defacto complainant

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.ARUNRAJ.K, Advocate for the petitioner and of M/S.R.M.ANBUNITHI, Additional Public Prosecutor on behalf of the Respondent the court made the following order:-

This Criminal Miscellaneous Petition has been filed to modify the condition imposed by this Court in Crl.O.P(MD) No.2334 of 2020 dated 11.02.2020 as the petitioners come forward to remit a sum of Rs.5000/- as monthly maintenance in the bank account of the defacto complainant.

2.Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent.

3. It is seen that at the time of granting anticipatory bail to the petitioners, the petitioners have voluntarily come forward to remit a sum of Rs.5000/- as monthly maintenance in the bank account of the defacto complainant. The first petitioner is the husband and



the second petitioner is the mother-in-law of the complainant. After furnishing sureties the petitioners have paid a sum of Rs.5000/- in the bank account of the defacto complainant without fail every month. In the said circumstances the defacto complainant has filed a maintenance petition in MC No.58 of 2019 before the Family Court, Namakkal and the same was ordered in favour of the defacto complainant directing the first petitioner to pay a sum of Rs.6000/- per month as maintenance. The first petitioner is a farmer and he is the only son to his aged mother and with a meagre income he is unable to pay amount in both petitions. He would further submit that the first petitioner is ready to pay maintenance amount as ordered by the Family Court, Namakkal every month, hence seek mortification of the said condition.

4. The learned counsel for the petitioners would submit that the first petitioner is ready to pay the amount of Rs.6000/- as ordered by the Family Court, Namakkal.

5. Taking into consideration the submission made by the learned counsel for the petitioners, the condition imposed in Crl.O.P(MD) No.2334 of 2020 dated 11.02.2020 is modified to the effect that the first petitioner shall pay a sum of Rs.6,000/- alone to the defacto complainant as ordered by the Family Court, Namakkal.

6. It is made clear that if the petitioners fails to comply with the conditions imposed by this Court, the anticipatory bail granted to the petitioners shall stand cancelled automatically without any further reference to this Court.

7. This petition is ordered accordingly.

sd/-
07/03/2023

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15/03/2023

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

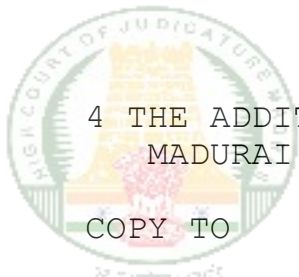
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TO

1.THE JUDICIAL MAGISTRATE, MUSIRI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3.THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
MUSIRI, TRICHY DISTRICT.



CRL MP(MD)



23

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE JUDGE,
FAMILY COURT, NAMAKKAL.

+1 CC to M/s.ARUNRAJ.K, Advocate (SR-3609[I] dated 08/03/2023)

ORDER

IN

CRL MP (MD) No.2912 of 2023

IN

CRL OP (MD) No.2334 of 2020

Date :07/03/2023

RK/BUC/SAR-2 (14/03/2023) 3P/7C