



CRL MP(MD) No.10942 of 2023

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

Monday, the Thirty First day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.10942 of 2023

IN

CRL OP(MD) No.6344 of 2022

DURKA ARUN KUMAR

... PETITIONER/PETITIONER

Vs

THE STATE REP BY,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME.NO. 46 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 Honbel Court in CrI.MP.No.7879 of 2023 in CrI.OP.(MD).No.6344 of 2022 dated 07.06.2023.

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.ANANTH.C.RAJESH, Advocate for the petitioner and of MR.R.SURESH KUMAR, Government Advocate (Criminal Side) on behalf of the Respondent, the court made the following order:-

This petition has been filed to modify the condition imposed on the



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petitioner in Crl.M.P.(MD).No.7879 of 2023 in Crl.O.P.(MD)No.6344 of 2022 on
07.06.2023.

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2.By the order dated 08.08.2022, the petitioner was directed to pay monthly maintenance of Rs.25,000/- to the wife and the children, apart from that he was directed to appear before the respondent police on every Saturday at 10.30 a.m. But, while passing order in Crl.M.P.(MD).No.7879 of 2023, he was directed to appear before the respondent police on every Tuesday and Thursday. Now expressing grievance over the same, seeking modification, this petition came to be filed.

3.The above said original order dated 08.08.2022 passed in Crl.O.P.(MD). No.6344 of 2022 will stand. Now the grievance of the petitioner is that because of his termination of employment, he is not in position to comply the order of maintenance. He would further submit that the proceedings in D.V.C.No.28 of 2020 on the file of the learned Judicial Magistrate No.I, Thoothukudi, was also decided against the petitioner by the order dated 25.04.2023. It was already made clear that if any maintenance is awarded or rendered by any civil Court, this matter may be taken into account. So I find no reason to modify the above said condition.

4.Therefore, the petitioner has to comply the order passed by this Court, dated 08.08.2022, in Crl.O.P.(MD).No.6344 of 2022.



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5. Accordingly, this petition is ordered.

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sd/-
31/07/2023

/ TRUE COPY /

/08/2023

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

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TO

- 1 THE JUDICIAL MAGISTRATE NO.IV
THOOTHUKUDI.
- 2 THE JUDICIAL MAGISTRATE NO.I
THOOTHUKUDI.
- 4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THOOTHUKUDI DISTRICT.
- 5 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.



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

+1 CC to M/s.ANANTH C.RAJESH, Advocate (SR-11489[I] dated 31/07/2023

ORDER
IN
CRL MP(MD) No.10942 of 2023
IN
CRL OP(MD) No.6344 of 2022
Date :31/07/2023

PKP/DD/SAR- /05.08.2023/ 4P/8C

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