



CRL MP(MD) No.15768 of 2023

WEB COPY

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

Thursday, the Ninth day of November Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

CRL MP(MD) No.15768 of 2023

IN

CRL RC(MD) No.1247 of 2023

MATHURAIRAJ

... PETITIONER/PETITIONER

Vs

1 VIGNESHWARI

2 MINOR DEVADHARSHINI

... RESPONDENTS/RESPONDENTS

(THE 2ND RESPONDENT WAS REPRESENTED
BY HER MOTHER/NATURAL GUARDIAN
NAMELY THE 1st RESPONDENT)

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Interim stay the operation of the order in Crl M.P No. 5874 of 2022 in M.C No. 29 of 2021 dt. 11.08.2023 passed by the Learned Judicial Magistrate, Rajapalayam till the disposal of this main revision petition.

Prayer in CRL RC(MD). 1247/ 2023 :

To call for the records and set aside the order in Crl M.P No. 5874 of 2022 in M.C No. 29 of 2021 dated 11.08.2023 passed by the Learned Judicial Magistrate, Rajapalayam.



CRL MP(MD) No.15768 of 2023

WEB COPY

Order : This Criminal Miscellaneous Petition filed in support thereof and upon hearing the arguments of M/S.POONGODIYAL.C.R., Advocate for the petitioner while admitting the Criminal Revision case., the Court made the following order:-

This petition has been filed to grant interim stay of the operation of the order passed in Crl.M.P.No.5874 of 2022 in M.C.No.29 of 2021 dated 11.08.2023, on the file of the learned Judicial Magistrate, Rajapalaym, pending disposal of the above Criminal Revision Case.

2. Heard the learned counsel for the petitioner and also perused the materials available on record.

3. Considering the facts and circumstances of the case, this Court is inclined to grant interim stay on condition that the petitioner shall deposit 30% of the arrears amount of the maintenance pending as of now to the credit of Crl.M.P.No.5874 of 2022 in M.C.No.29 of 2021 on the file of the learned Judicial Magistrate, Rajapalaym, within a period of six weeks from the date of receipt of a copy of this order, failing which the interim stay granted shall stand vacated automatically without further reference to this Court. If on such deposit being made by the petitioner, the first



CRL MP(MD) No.15768 of 2023

respondent is permitted to withdraw the said amount.

WEB COPY

sd/-
09/11/2023

/ TRUE COPY /

/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA

TO

1 THE JUDICIAL MAGISTRATE,
RAJAPALAYAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

+1 CC to M/s.C.R.POONGODIYAL, Advocate (SR-16217[I] dated 10/11/2023)

ORDER
IN
CRL MP(MD) No.15768 of 2023
IN
CRL RC(MD) No.1247 of 2023
Date :09/11/2023

SS/JGB/SAR- /22/11/2023/3P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023