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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2024

CORAM

THE HON'BLE **MR.JUSTICE M.DHANDAPANI**

Crl.RC.No.806 of 2024

Senthil Ganesh

... Petitioner

-Vs-

Manjula

... Respondent

Prayer: Criminal revision is filed under Sections 397 and 401 of the Criminal Procedure Code, against the fair and final conditional order dated 19.09.2023 on the file Principal District and Sessions Judge, Vellore in Crl.MP.No.2036 of 2022 in CA.Sr.No.5523 of 2022.

For petitioner : Mr.S.Muralikrishnan

For Respondent : Ms.R.Hemalatha

ORDER

The Criminal Revision is filed against the fair and final conditional order dated 19.09.2023 on the file Principal District and Sessions Judge, Vellore in Crl.MP.No.2036 of 2022 in CA.Sr.No.5523 of 2022.

2. The case of the petitioner is as follows:

The Petitioner and the respondent are husband and wife. The marriage



of the petitioner and the respondent was solemnized on 16.05.2013 as per Hindu rites and customs. Out of the wedlock, one male child was born to them. Due to the family dispute and misunderstanding, the respondent left the matrimonial home and filed a domestic violence case and the same is pending. In the meanwhile, the petitioner filed a maintenance case in IA. No.3/2021 claiming interim maintenance. After hearing the arguments and on a perusal of the materials, the said maintenance petition was allowed in part by directing the petitioner to pay a sum of Rs.10,000/- per month to the respondent as interim maintenance. Challenging the said order, the petitioner has filed a petition with a delay of 17 days. The learned trial Court, allowed the said petition with cost of Rs.1,00,000/-. As against the said order of learned Principal District and Sessions Judge, Vellore, the petitioner has filed the present Revision Case before this Court.

3. The learned counsel appearing on behalf of the petitioner submitted that without prejudice to his rights, the petitioner is ready to pay a sum of Rs.50,000/- towards cost before the trial Court. Upon payment of such receipt, this Court may direct the learned Judge to dispose the main appeal within the reasonable time as fixed by this Court.



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4. Heard the learned counsel for the petitioner and the respondent and perused the materials available on record.

5. Considering the facts and circumstanes of the case and in view of the limited request sought for by the petitioner, this Court is inclined to pass the following orders:

1. The petitioner is directed to deposit a sum of Rs.50,000/- before the trial Court in credit of the case within a period of four weeks from the date of receipt of a copy of this order;

2. After perusal of the receipt of payment, the learned Judge shall dispose of the appeal in C.A.SR.No.5523 of 2022 as expeditiously as possible on merits."

8. With the above modification, this criminal revision case is disposed of.

03.06.2024

rli

M.DHANDAPANI,J.



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Index : Yes/No

Speaking Order/Non speaking order

To

The Principal District and Sessions Judge, Vellore

Crl.R.C. No. 806 of 2024

03.06.2024