



Crl.R.C.No.1114 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.04.2024

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

Crl.R.C.No.1114 of 2021

and

Crl.M.P.No.14228 of 2021

S.Gopi

... Petitioner

Vs.

1.Nandhini @ Kalavathi

2.Minor G.Deepak

... Respondents

Prayer : Criminal Revision Case filed under Section 397 read with 401 Cr.P.C, praying to set aside the order dated 21.09.2021 in M.C.No.3 of 2018 on the file of the Judicial Magistrate, Tiruttani.

For Petitioner : Mr.Prakash Goklaney

For Respondents : Mr.R.Thanjan

ORDER

This Criminal Revision Case is filed against the order of the learned Judicial Magistrate, Tiruttani, dated 21.09.2021 in M.C.No.3 of 2018. The learned Judge has ordered maintenance of Rs.10,000/-



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(Rupees Ten Thousand Only) to the wife and a sum of Rs.6,000/-
(Rupees Six Thousand Only) to the minor child, who are the first and
second respondents herein.

2. The learned counsel appearing for the petitioner submitted that, as per the order of this Court dated 06.01.2022, without prejudice, the petitioner has already deposited 50% of the pending arrears and he is continuously paying 50% of the interim monthly maintenance awarded to the respondents on or before 10th of every month. Therefore, he submitted that, without prejudice to the rights, the petitioner is ready to balance amount awarded to the respondents and seeks permission of this Court to file a petition under Section 127 of Cr.P.C. for reduction of amount awarded to the respondent.

3. Heard the learned counsel appearing for the parties and also perused the materials available on record.

4. In view of the above submissions, this Court, without going into the merits of the case, directs the petitioner to pay the balance



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pending arrears amount awarded to the respondents and liberty is granted to the petitioner to file a petition under Section 127 of Cr.P.C. before the court below for reduction of the amount awarded to the respondents based on the materials to be filed by the petitioner.

5. With the above direction, the Criminal Revision Case is dismissed with the abovesaid liberty. Consequently, connected criminal miscellaneous petition is closed.

02.04.2024

Index : Yes / No
Speaking order / Non-speaking order
NCC : Yes / No
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To

The Judicial Magistrate, Tiruttani.



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M.DHANDAPANI, J.

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