



C.R.P.No.3754 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.01.2024

CORAM

THE HONOURABLE MR. JUSTICE V. SIVAGNANAM

Civil Revision Petition No.3754 of 2023

and

Civil Miscellaneous Petition Nos.23383 & 23388 of 2023

Vedamurthy

...

Petitioner

Vs

J.Sridevi

...

Respondent

Prayer: Civil Revision Petition has been filed under Article 227 of the Constitution of India to recall the non-bailable warrant issued against the petitioner on 20.09.2023 in CrI.M.P.No.10182 of 2023 in D.V.C.No.16 of 2016 on the file of the XVII Metropolitan Magistrate Court at Saidapet by allowing the present Civil Revision Petition.

For Petitioner : Mr.R.Jaya Prakash

For Respondent : Mr. P.G.Thiyagu



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ORDER

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Challenging the issuance of the non-bailable warrant against the petitioner on 20.09.2023 in CrI.M.P.No.10182 of 2023 in DVC No.16 of 2016 on the file of the XVII Metropolitan Magistrate Court, Saidapet, the present Civil Revision Petition has been filed.

2. The learned counsel for the petitioner submitted that in the DVC No.16 of 2016, which was an ex parte order, the petitioner/husband was directed to pay a sum of Rs.7 lakhs as maintenance, against which, he filed an appeal in CrI.A.SR.No.13044 of 2023 before the Principal Sessions Court, Chennai. Since the maintenance amount was not paid, the respondent/wife filed an application in CrI.M.P.No.10182 of 2023 in DVC No.16 of 2016, in which, the Trial Court issued NBW against the petitioner/husband on 20.09.2023.

3. The learned counsel further submitted that already the petitioner/husband had deposited a sum of Rs.5 Lakhs before the Trial Court. He is also ready to deposit the remaining amount of Rs.2 lakhs before



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15.02.2024 and prays to allow the revision.
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4. The learned counsel for the respondent submitted that if the petitioner/husband deposit the balance maintenance amount, the respondent has no objection to allow the revision.

5. Heard both sides and perused the materials available on record carefully.

6. Considering the submission made by the learned counsel for the petitioner/husband, the petitioner is directed to deposit the balance amount of maintenance of Rs.2,00,000/- (Rupees Two Lakhs only) in the credit of DVC No.16 of 2016 on the file of the XVII Metropolitan Magistrate at Saidapet, Chennai, on or before 15.02.2024, failing which, the Trial Court is permitted to execute the NBW, which was already issued on 20.09.2023. This deposit is without prejudice to the result of the appeal.

7. With the above condition, this Criminal Revision Petition is disposed of. Consequently, connected miscellaneous petitions are closed.

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18.01.2024

Index: yes/no
Internet:yes/no
mrp

To

The XVII Metropolitan Magistrate Court,
Saidapet.



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V. SIVAGNANAM, J.

mrp

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