



Crl.R.C.(MD) No.284 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2024

CORAM

THE HON'BLE MRS.JUSTICE R.HEMALATHA

Crl.R.C.(MD) No.284 of 2021

Mohan Prabhu

... Petitioner

Vs.

1.Kanimozhi

2.Minor Krish

rep. by his Mother

Kanimozhi - 1st respondent

... Respondents

Prayer: Criminal Revision Case filed under Section 397 r/w. Section 401 of the Code of Criminal Procedure, 1973, praying to call for the records from the Courts below and set aside the impugned orders passed by the learned District and Sessions Judge cum Special Judge for EC Act Cases, Thanjavur in C.A.No.22 of 2018 dated 27.11.2019, reversing the orders passed by the learned Judicial Magistrate No.II, Thanjavur in M.C.No.37 of 2014 dated 07.03.2018.

For Petitioner : Mr.G.Karuppasamy Pandiyan

For R1 : Mr.S.Jaya Chandran



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ORDER

The present Criminal Revision Case is directed against the judgment and orders dated 27.11.2019 [hereinafter referred to as 'impugned order' for the sake of convenience] passed by the learned District and Sessions Judge cum Special Judge for EC Act Cases, Thanjavur [hereinafter referred to as 'Appellate Court' for the sake of convenience] in C.A.No.22 of 2018.

2. In the present Criminal Revision Case, the petitioner has challenged the maintenance awarded to his wife and minor child (the respondents herein) by the Appellate Court in C.A.No.22 of 2018. Similarly, the wife and the minor child of the petitioner (the respondents herein) filed Crl.R.C.(MD) No.611 of 2021 before this Court for enhancement of maintenance amount. This Court on 21.11.2022 has passed the following orders in Crl.R.C.(MD) No.611 of 2021:

11.In view of the above, ***this Criminal Revision Case is partly allowed, by modifying the orders of the Court below, by directing the respondent to pay a maintenance of Rs.5,000/- to the wife/first***



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revision petitioner, from the date of filing of this revision and dismissing the claim of enhancement of maintenance for the child/second revision petitioner.

Consequently, connected miscellaneous petition is closed.

3. In fact, the present Criminal Revision Case was not tagged along with the Criminal Revision Case filed by the respondents/wife and minor child in Crl.R.C.(MD) No.611 of 2021. In any event, it is not the case of the petitioner/husband that he has preferred an appeal against the orders dated 21.11.2022 passed by this Court in Crl.R.C.(MD) No.611 of 2021 and it has reached finality. Therefore, nothing survives for adjudication in the present Criminal Revision Case.

4. Accordingly, this Criminal Revision Case is dismissed.

04.01.2024

Index: Yes/ No

Neutral Citation: Yes / No

Speaking order / Non-Speaking order

JEN



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- 1.The District and Sessions Judge
cum Special Judge for EC Act Cases,
Thanjavur.
- 2.The Judicial Magistrate No.II,
Thanjavur.



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R.HEMALATHA, J.

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