



CRL MP(MD) No.2140 of 2024

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

Thursday, the Twenty Second day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice VIVEK KUMAR SINGH

CRL MP(MD) No.2140 of 2024

in

CRL RC(MD) No.1412 of 2023

1 DEEPTHI.M

2 MINOR.JOSHINI

... Petitioners / Respondents / Petitioners

(The 2nd petitioner is a minor girl and
represented by her mother and
guardian, the 1st petitioner)

Vs

BALAJI

REP. BY HIS POWER AGENT,
SENTHIL KUMAR

... Respondent / Petitioner / 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 Permit the Petitioners to withdraw the amount of Rs.3,00,000/- deposited in Cr.MP.No.4 of 2023 in MC.No.48 of 2022 on the file of the Family Court,Theni pending disposal of the above CrI.RC.(MD).No.1412 of 2023.

Prayer in CRL RC(MD). 1412/ 2023 :

To call for the records in connection with Cr.MP.No.4/2023 in MC No.48/2022 in the file of the learned Family Court in Theni and set aside the order passed in Cr.MP.No.4/2023 dt.7/11/2023.



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Order : This criminal miscellaneous petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/s.K.K.KANNAN, Advocate for the petitioner and of Mr.H.VELAVADHAS, Advocate on behalf of the Respondent, the court made the following order:-

The petitioner has filed this Criminal Miscellaneous Petition praying to withdraw the amount of Rs.3,00,000/- (Rupees Three Lakhs only) which has been deposited by the respondent towards maintenance amount to the credit of Cr.M.P.No.4 of 2023 in M.C.No.48 of 2022 on the file of the Family Court, Theni.

2. The learned counsel for the petitioner submits that while granting interim order of stay, this Court passed a conditional order and directed the respondent to deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs only) and the same was also deposited before the Family Court. Hence, he prays to withdraw the deposited amount.

(*)3.Heard the learned counsel for the petitioner as well as the learned counsel appearing for the respondent.

4.Considering the facts and circumstances of the case and considering the fact that the petitioners have not received any maintenance amount, it is appropriate to direct the learned Judge, Family Court, Theni, to return the deposited amount. Accordingly, the petitioners are permitted to withdraw the deposited amount within a period of one week from the date of receipt of a copy of this order.



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5. In the result, this Criminal Miscellaneous Petition is allowed as prayed

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for by the petitioners.

sd/-

22/02/2024

**(*)AMENDED AS PER THE ORDER OF THIS
HON'BLE COURT DATED 12/03/2024 IN CRL MP(MD)
No.2140 OF 2024 IN CRL RC(MD)No.1412 of 2023.**

/ TRUE COPY /

/03/2024

Sub-Assistant Registrar

(C.S. I / II / III /IV)

Madurai Bench of Madras High Court,
Madurai - 625 023.

RM

To

**TO BE SUBSTITUTED WITH THE ORDER DATED 22/02/2024 ALREADY
DESPATHCED**

The Judge,
Family Court, Theni.

+1 CC to M/s.K.K.KANNAN, Advocate (SR-2343[I] dated 26/02/2024)

ORDER

IN

CRL MP(MD) No.2140 of 2024

in

CRL RC(MD) No.1412 of 2023

Date :22/02/2024

ED/ VR /SAR- (27/02/2024) 3P / 3C

PKN

SS/GS/SAR- /19/03/2024/ 3P 3C

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