



CRL MP(MD) No.2565 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice VIVEK KUMAR SINGH

CRL MP(MD) No.2565 of 2024

in

CRL RC(MD) No.1427 of 2023

LEONE BASKER

... PETITIONER/PETITIONER

Vs

1 ANUSIYA RUBY

2 MINOR. ANDREW ROBERT

3 MINOR. ADLIN MARIA

(RESPONDENT NO.2 & 3 MINORS REPRESENT  
THROUGH THE 1ST RESPONDENT WHO IS THEIR  
MOTHER)

... RESPONDENT/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 grant an extension of time for the Interim Stay granted by this Honble Court in Crl.MP.No.18121 of 2023 in Crl.RC.(MD).No.1427 of 2023 dated 22.12.2023.

Prayer in CRL MP(MD).18121/2023 :

To stay the operation of the order passed in MC No.57/2023 dated 18.10.2023, on the file of the Honble Family Court, Sivagangai with regard to the 2nd and 3rd Respondent.

Prayer in CRL RC(MD). 1427/ 2023 :

To call for the records pertaining to the impugned order made in MC No.57/2023 dt.18.10.2023, on the file of the Honble Family Court, Sivagangai and set

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aside the same as illegal.

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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 MR.S.AYYANAR PREM KUMAR, Advocate for the petitioner, the court made the following order:-

This case has been listed today under the caption 'for extension of time'.

2.This Court has already granted interim stay of the operation of the order passed in M.C.No.57 of 2023 dated 18.10.2023 vide its order dated 22.12.2023 in Crl.M.P.(MD) No.18121 of 2023, subject to comply certain conditions. The same reads as follows:-

“3. Considering the facts and circumstances of the case, this Court is inclined to grant interim stay on condition that the petitioner shall deposit 50% of the arrears amount of the maintenance pending as of now to the credit of M.C.No.57 of 2023 on the file of the Family Court, Sivagangai, within a period of four weeks from the date of receipt of a copy of this order and further the petitioner shall pay 50% of the monthly maintenance to the respondents and to pay the monthly house rent of Rs.3,000/- (Rupees Three Thousand only) till the disposal of the revision case, failing which the interim stay granted shall stand vacated automatically without further reference to this Court. If on such deposit

being made by the petitioner, the first respondent is permitted to



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withdraw the deposited amount.”

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3. Today, when the matter was taken up for hearing, the learned counsel for the petitioner submits that due to penurious circumstances of the petitioner, he could not deposit the aforesaid maintenance amount within the stipulated time frame as directed by this Court by its order dated 22.12.2023 and thereby, he has sought for extension of time to deposit the said amount.

4. Considering the submissions made by the learned counsel for the petitioner, this Court is inclined to grant further time and accordingly, two weeks time is granted to the petitioner for depositing 50% of the arrears amount of the maintenance pending as of now to the credit of M.C.No.57 of 2023 on the file of the Family Court, Sivagangai and further to pay the monthly house rent of Rs.3,000/- (Rupees Three Thousand only) till the disposal of the revision case as indicated by this Court in Crl.M.P (MD) No.18121 of 2023, dated 22.12.2023. It is made clear that no further time will be granted to the petitioner in this regard.

sd/-  
29/02/2024

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/03/2024

Sub-Assistant Registrar (C.S. I / II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

pkn

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TO  
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THE JUDGE,  
FAMILY COURT, SIVAGANGAI.

+1 CC to M/s.S.AYYANAR PREM KUMAR, Advocate (SR-2522[I] dated 29/02/2024)

ORDER  
IN  
CRL MP(MD) No.2565 of 2024  
in  
CRL RC(MD) No.1427 of 2023  
Date :29/02/2024

RS/GS/SAR-(05.03.2024) 4P 3C  
Madurai Bench of Madras High Court is issuing  
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