



Crl.O.P.(MD)No.14460 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.14460 of 2024

P.V.Vijayaganesh

... Petitioner

Vs.

1.S.Vijaya Preetha

2.Minor.V.G.Athithya Sree

... Respondents

(R2 Minor represented through her mother and natural guardian/first respondent)

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the Family Court, Madurai to number the permit petition in I.A.No.Unnumbered of 2024 permitting the petitioner to engage the advocates for defending the case in M.C.No.75 of 2021 pending on the file of the Family Court, Madurai.

For Petitioner : Mr.K.Dinesh

For Respondents : Mr.D.S.Haroon Rasheed



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ORDER

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This criminal original petition has been filed seeking orders to direct the Family Court, Madurai to number the permission petition in I.A.No.Unnumbered of 2024 permitting the petitioner to engage the advocates for defending the case in M.C.No.75 of 2021 pending on the file of the Family Court, Madurai.

2.It is evident from the records that in pursuance of directions of this Court, the petitioner already paid a sum of Rs.90,000/- on 16.10.2024 and he paid a sum of Rs.1,50,000/- today, ie., 21.10.2024 and that since the petitioner failed to comply with the earlier order, the Family Court, Madurai has issued non-bailable warrant and distress warrant. Thereafter, the petitioner filed a petition seeking permission to engage the advocates for defending the case in M.C.No.75 of 2021 on the file of the Family Court, Madurai.

3.The learned counsel appearing for the respondents would submit that the respondents have not any objection to direct the Family Court,



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Madurai not to proceed with the non-bailable warrant, since the petitioner has paid the balance amount.

4.In view of the above, the Family Court, Madurai is directed not to proceed with the non-bailable warrant and distress warrant and the petitioner is directed to appear before the concerned Court, within a period of one week from today, ie., 21.10.2024 and on such appearance, the learned Judge, Family Court, Madurai is directed to take the petition on file and proceed in accordance with law.

5.With the above direction, this criminal original petition is allowed.

21.10.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

gns

Note: Issue order copy on 22.10.2024

To

The Family Court, Madurai.



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K.MURALI SHANKAR,J.

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