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Crl.O.P.(MD).No.15881



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2024

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD).No.15881 of 2023

and

Crl.M.P.(MD).No.12640 of 2023

Prabakaran

...Petitioner

Vs.

1.Karthika

2.Minor Harisanadevi

...Respondents

(the second respondent represented through the first respondent,
mother)

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records pertaining to the order passed in Crl.R.P.No.20 of 2015 dated 23.01.2017 on the file of the Additional District and Sessions Court, Periyakulam, Theni and to set aside the same as illegal.

For Petitioner

: Mr.S.Ayyanar Prem Kumar

For Respondents

: Mr.M.S.Jeya Karthik

ORDER

This petition has been challenging the order passed by the Additional District and Sessions Court, Periyakulam, Theni dated 23.01.2017 confirming the order passed by the Family Court, Theni in M.C.No.1 of 2014, dated 29.05.2015.



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2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

3. The respondents have filed a maintenance case before the Family Court and sought for fixation of maintenance and for payment of the same by the petitioner. The Family Court, Theni in M.C.No.1 of 2014 after considering the facts and circumstances of the case and on appreciation of evidence, fixed the monthly maintenance at Rs.2,500/- for each of the respondent. Aggrieved by the same, the petitioner filed a revision before the Court below. The Court below confirmed the order passed by the trial Courts. Aggrieved by the same, the present petition has been filed before this Court.

4. It was also brought to the notice of this Court that the respondents subsequently filed a petition for enhancement of maintenance in Crl.M.P.No.1221 of 2018 and the same was also ordered by an order dated 22.07.2019 and the maintenance amount was enhanced to Rs.6,000/- for each of the respondent.

5. Taking into consideration the facts and circumstances of the case and the reasoning that has been given by both the Courts below and also considering the subsequent development that has been taken place in this case, there is no scope for this Court to interfere with the orders passed by both the Courts below.



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6. Accordingly, the Criminal Original Petition stands dismissed.

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Consequently, the connected miscellaneous petition is closed.

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Index : Yes / No

Internet : Yes / No

Speaking Order/Non Speaking Order

TSG

To

1.The Additional District and Sessions Court, Periyakulam, Theni

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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N.ANAND VENKATESH, J.

TSG

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