



C.R.P.(MD)No.2622 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 24.10.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD)No.2622 of 2024

and

C.M.P.(MD)No.15111 of 2024

1.M.Maheskumar

2.Sellam

... Petitioners / Petitioners / Respondents

Vs.

N.Nandhini

... Respondent / Respondent / Petitioner

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order dated 05.09.2024 made in Crl.M.P.No.881 of 2024 in Crl.A.No.11 of 2024 on the file of the III Additional District Court, Tiruchirappalli and allow the civil revision petition.

For Petitioners : Mr.P.Pandia Rajan

* * *

ORDER

The petitioners have suffered an order in D.V.C.No.10 of 2022 on the file of the Judicial Magistrate, Manapparai. Questioning the same, the petitioners filed Crl.A.No.11 of 2024 before the III Additional District Court,



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Tiruchirappalli. The appellate Court was pleased to grant interim stay on condition that the petitioners should pay a sum of Rs.1,00,000/-. The petitioners have come before this Court complaining that they do not have means to pay this amount. The petitioners are however ready to get along with the criminal appeal. I am aware that an order in favour of the respondent cannot be varied behind her back.

3.However, issuing notice in this civil revision petition and granting interim order may vex her further. Therefore, in the interest of justice, this civil revision petition is disposed of in the following terms:

(i) The order impugned in this civil revision petition is modified.

(ii) The petitioners undertake to take a demand draft for sum of Rs.50,000/- favouring the respondent herein. It shall be handed over to her directly before the appellate Court on 15.11.2024. The appellate Court shall advance the criminal appeal for hearing to the said date.

(iii) Once this amount of Rs.50,000/- is paid, the criminal appeal will be taken up for disposal and disposed of within a period of two months thereafter.



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(iv) The first petitioner has to pay a sum of Rs.5,000/- as monthly maintenance till the criminal appeal is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

24.10.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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Issue order copy on 13.11.2024.

To:

The III Additional District Court,
Tiruchirappalli.



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G.R.SWAMINATHAN, J.

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