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Crl.O.P.(MD).No.17456



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.17456 of 2023

and

Crl.M.P.(MD).No.13868 of 2023

M.Venkatesh

...Petitioner

Vs.

1.Kanimozhi

2.Minor Sanjaihassan

...Respondents

(Minor second respondent represented by his
mother and guardian the first respondent Kanimozhi)

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to set aside the order in C.R.C.No.15 of 2022 dated 10.07.2022 on the file of the learned Additional Sessions Judge / Fast Track Mahila Court, Karur, confirming the order in M.C.No.1 of 2020 dated 08.07.2022 on the file of the learned Judicial Magistrate No.II, Kulithalai.

For Petitioner

: Mr.S.Gokul Raj

For Respondents

: No Appearance

ORDER

This petition has been filed challenging the order passed by the learned Assistant Sessions Judge / Fast Track Mahila Court, Karur, confirming the order



passed by the learned Judicial Magistrate No.II, Kulithalai, in M.C.No.1 of 2020 dated 08.07.2022 fixing the maintenance payable by the petitioner to the first respondent at Rs.7,500/- per month and to the second respondent at Rs.10,000/- per month.

2. Heard the learned counsel appearing for the petitioner.

3. The respondents have been served with notice and their names have also been printed in the cause list, however, there is no appearance either in person or through the counsel.

4. This Court carefully went through the orders passed by the Court below. The petitioner in this case was working as a Teacher in a private school. The respondents were wholly dependant on the petitioner. In fact, the second respondent was suffering from autism. Both the Courts below have properly appreciated the evidence and have fixed the appropriate maintenance amount payable by the petitioner. This Court does not find any illegality in the orders passed by both the Courts below.

5. The learned counsel appearing for the petitioner submitted that the petitioner is presently suffering from cancer and he is not in a position to even attend



Crl.O.P.(MD).No.17456

to his work. If any such subsequent development has taken place, it goes without saying that the petitioner can always approach the concerned Court and seek for modification of the maintenance amount. Except giving this clarity, no further orders can be passed in this Criminal Original Petition and the same stands dismissed. Consequently, the connected miscellaneous petition is closed.

28.11.2024

Index : Yes / No

Internet : Yes / No

Speaking Order/Non Speaking Order

TSG

To

1.The Additional Sessions Judge / Fast Track Mahila Court, Karur.

2.The Judicial Magistrate No.II, Kulithalai.

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



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N.ANAND VENKATESH, J.

TSG

Crl.O.P.(MD).No.17456 of 2023

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