



CRL MP(MD) No.17755 of 2023

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

Thursday, the Fourth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice VIVEK KUMAR SINGH

CRL MP(MD) No.17755 of 2023
in
CRL RC(MD) No.646 of 2023

1 D.DIVYA
2 MINOR HEMITRA
(Represented by her mother D.Divya)

... Petitioners / Respondents

Vs

R.PRADEEPAN

... Respondent / Petitioner

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to permit the petitioners herein to withdraw Rs. 3,74,000/- which has been deposited by the respondent towards 50 percent of the maintenance amount to the credit of M.C no. 8 of 2022 on the file of the Family court, Thanjavur as per the order passed by this Hon'ble Court in CRL RC(MD) No.646 of 2023 and CRL MP(MD) No.9123 of 2023, pending disposal of the above criminal miscellaneous petition.

Prayer in CRL RC(MD). 646/ 2023 :

To call for the records relating to the order dated 05.04.2023 in M.C.No.8 of 2022 on the file of family court,Thanjavur and set aside the same.



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Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.GEETHA RAMACHANDRAN.R, Advocate for the petitioners and of Mr.V.R.SHANMUGANATHAN, Advocate on behalf of the Respondent, the court made the following order:-

The petitioner has filed this Criminal Miscellaneous Petition praying to withdraw Rs.3,74,000/- which has been deposited by the respondent towards 50% of the maintenance amount to the credit of M.C.No.8 of 2022 on the file of the Family Court, Thanjavur.

2. The learned counsel for the petitioner submits that while granting interim order of stay this Court passed a conditional order and directed the respondent to deposit 50% of the arrears amount and the same was also deposited before the Family Court. Hence, he prays to withdraw the deposited amount.

3. The learned counsel for the respondent submits that he has no objection to withdraw the said amount.

4.Considering the facts and circumstances of the case and considering the fact that the petitioners have not received any maintenance amount, it is appropriate to direct the Family Court to return the deposited amount. Accordingly, the petitioners are permitted to withdraw the deposited amount.



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5. In the result, this Criminal Miscellaneous Petition is allowed as prayed

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for by the petitioners.

sd/-

04/01/2024

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/01/2024

Sub-Assistant Registrar

(C.S. I / II / III /IV)

Madurai Bench of Madras High Court,
Madurai - 625 023.

RM

To

The Judge,
Family Court, Thanjavur.

ORDER

IN

CRL MP(MD) No.17755 of 2023

in

CRL RC(MD) No.646 of 2023

Date :04/01/2024

ED/ DD /SAR- (08/01/2024) 3P / 2C

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