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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-03-2025

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP NO. 7885 of 2025

AND

CRL MP NO. 5099 OF 2025

P.Kanniappan
S/o. Pandurangan, residing at No.14, Nsk Salai,
Vanuvampettai, Chennai-600 091

Petitioner(s)

Vs

J.Vidhyalakshmi @ Geethanjali
D/o. V.Jeevanandham, Residing at No.54,
Bharathi Nagar, Urapakkam-603 210

Respondent(s)

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS, to set aside the order dated 24.01.2025 in FC CMP No.307 of 2024 in FC MC No.40 of 2021, passed by the learned Judge, Family Court, Chengalpattu and allow this Petition.

For Petitioner(s):

M.Thangadurai

For Respondent(s): NA

ORDER



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This Criminal Original Petition is filed under Section 528 of BNSS,

to set aside the order dated 24.01.2025 in FC CMP No.307 of 2024 in FC MC No.40 of 2021, passed by the learned Judge, Family Court, Chengalpattu, thereby dismissing the application filed under Section 91 of Cr.PC, for production of the Bank statements of the respondent herein.

2.The respondent filed a petition in FC MC No.40 of 2021 before the Family Court at Chengalpet seeking monthly maintenance. While pending trial, the petitioner filed an application to produce the Statement of accounts of the respondent for about one year along with property details. Now it is mandate that the respondent ought to have filed assets details of the petitioner/wife by way of an affidavit at the earlier stage when she filed the maintenance case. Now the petitioner filed the petition for production of Bank statements and the property details of the respondent that too after examination of the respondent/wife, which cannot be entertained. The Court below has rightly observed that without maintaining his wife, the petitioner is prolonging the case by filing the petition and dismissed the petition. This Court finds no infirmity or illegality in the order passed by the trial Court.



3. Accordingly, this Criminal Original Petition is dismissed.

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Index : Yes/No

Neutral citation : Yes/No

Speaking/non-speaking order

To

J.Vidhyalakshmi @ Geethanjali
D/o. V.Jeevanandham, Residing at No.54,
Bharathi Nagar, Urapakkam-603 210

2.The Public Prosecutor,
High Court, Madras.

G.K. ILANTHIRAIYAN.J.,
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