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Crl.O.P.No.17870 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:14.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.17870 of 2024

1. K.Tahira Banu
2. Minor S.Mohamed Afnas
Rep by his mother
K.Tahira Banu

... Petitioners

Vs.

M.Sulaiman

... Respondent

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to set aside the order of the Sessions and Division of the Nilgiris District at Udthagamandalam in Crl.R.P.No.01 of 2024 dated 11.03.2024, modifying the maintenance amount passed by the learned Judicial Magistrate of Coonoor, in M.C.No.07 of 2022 dated 26.09.2023 and enhance the maintenance amount, allow this Crimininal Original Petition case.

For Petitioners : No appearance

For Respondent : No appearance



Crl.O.P.No.17870 of 2024

ORDER

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This petition has been filed challenging the order dated 11.03.2024, passed by the learned Sessions Judge, Udhagamandalam, in Crl.R.P.No.01 of 2024, thereby modifying the maintenance amount passed by the learned Judicial Magistrate, Coonoor in M.C.No.07 of 2022 dated 26.09.2023.

2. On perusal of the order dated 11.03.2024 passed by the learned Sessions Judge, Udhagamandalam, in Crl.R.P.No.01 of 2024, it is revealed that the maintenance ordered by the trial Court in M.C.No.7 of 2022, has been modified to the extent that a sum of Rs.5,000/- instead of Rs.10,000/-, in favour of the first petitioner and a sum of Rs.5,000/- instead of Rs.15,000/- in favour of the second respondent, on the ground that the respondent was not heard by the trial Court and as such without given any opportunity of hearing, the trial Court passed the order. Further the respondent agreed to pay a sum of Rs.10,000/- as monthly maintenance. Accordingly, the appellate Court modified the monthly maintenance and this Court finds no infirmity or illegality in the order passed by the Court below.



Crl.O.P.No.17870 of 2024

WEB COPY 3. Accordingly, the Criminal Original Petition stands dismissed.

14.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

rts

To

1. The Sessions Judge,
Udhagamandalam

2. The Judicial Magistrate,
Coonoor.



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G.K.ILANTHIRAIYAN, J.

rts

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14.02.2025