



Crl.R.C(MD)No.41 of 2023

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S
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.06.2025

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THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C(MD)No.41 of 2023
and
Crl.M.P(MD)No.597 of 2023

Sivanandi

... Petitioner/Respondent

Vs.

1.Vijaya

2.Dhanalakshmi

... Respondents/Petitioners 1&2

Prayer : Criminal Revision Case is filed under Section 397 & 401 of the Code of Criminal Procedure, to call for the records relating to the order, dated 16.05.2019 passed by the learned Judicial Magistrate, Aruppukkottai in M.C.No.8 of 2019 and set aside the same as arbitrary and illegal.

For Petitioner : Mr.P.Ganapathi Subramanian

For R1 : Mr.Karunanithi

ORDER

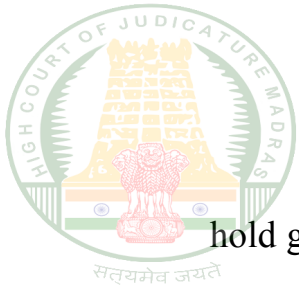
Challenging the order passed by the learned Judicial Magistrate, Aruppukkottai in M.C.No.8 of 2019, dated 16.05.2019, this criminal revision case is filed.



Crl.R.C(MD)No.41 of 2023

2. The 1st respondent is the wife and the 2nd respondent is the daughter of the petitioner. The 1st respondent, on behalf of herself and her daughter, had filed M.C.No.8 of 2019 on the file of the Judicial Magistrate Court, Aruppukkottai. Setting the petitioner herein as ex parte, the learned Trial Court was pleased to pass an order of monthly maintenance of Rs.15,000/- to the respondents by the impugned order. The learned counsel for the petitioner submitted that already an amount of Rs.1,00,000/- of the maintenance has been deposited before the learned Trial Court and the respondent has already withdrawn the said amount.

3. Considering the fact that the petitioner had been set ex parte by the learned Trial Court, I find it necessary that the learned Trial Court to hear the petitioner. Accordingly, the order in M.C.No.8 of 2019 passed by the learned Judicial Magistrate, Arupukkottai, dated 16.05.2019 is hereby set aside and the matter is remanded back to the file of the learned Judicial Magistrate, Arupukkottai for final adjudication. The learned Judicial Magistrate, Arupukkottai is directed to conclude the trial within a period of one (1) month from the date of receipt of copy of this order. Till fresh orders are passed, the earlier order, dated 16.05.2019 would



Crl.R.C(MD)No.41 of 2023

hold good.

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4. Accordingly, this Criminal Revision Case is allowed.

Consequently, connected Miscellaneous Petition is closed.

18.06.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To

1.The Judicial Magistrate,
Aruppukkottai.

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



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L.VICTORIA GOWRI ,J.

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Order made in
Crl.R.C.(MD)No.41 of 2023

Dated: 18.06.2025