



Crl.O.P.(MD)No.13136 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 06.08.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.13136 of 2025

1.Kalima Banu

2.Minor.D.Sahina Banu

... Petitioners

Vs.

S.Dilip Raja

... Respondent

Prayer : Criminal Original Petition filed under Section 528 BNSS, to direct the Judicial Magistrate Court, Uthamapalayam to expedite the proceedings of the case, which is pending in Crl.M.P.No.6152 of 2024 in M.C.No.23 of 2015 and to dispose the same on merits within a time frame as fixed by this Court.

For Petitioners

: Mr.P.Santhana Krishnan

ORDER

The petitioner has filed this petition seeking a direction to the Judicial Magistrate Court, Uthamapalayam to expedite the proceedings of the case, which is pending in Crl.M.P.No.6152 of 2024 in M.C.No.23 of 2015.



Crl.O.P.(MD)No.13136 of 2025

WEB COPY 2.The petitioner has filed an application for maintenance as against her husband/third respondent before the Judicial Magistrate Court, Uthamapalayam in M.C.No.23 of 2015. According to the petitioner, the said application was allowed on 28.08.2018. As against the said order passed by the learned Magistrate, the respondent herein has filed a revision before the Principal Sessions Court, Theni, which was dismissed. Challenging the same, he filed a petition in Crl.OP.(MD)No. 10399 of 2020 before this Court and the same was also dismissed by this Court. The respondent has not paid any single penny and there is arrears of Rs.15,40,000/- as on date. Therefore, the petitioner has filed an application in Crl.M.P.No.6152 of 2024 for executing the orders passed in M.C.No.23 of 2015. The petitioner has approached this Court that the respondent has not paid any amount and the learned Magistrate is simply adjourning the case.

3.The learned counsel appearing for the petitioner submits that though the respondent has entered appearance in the above said application and has paid part of the amount, on 13.02.2025, another sum of Rs.50,000/- on 04.03.2025 and a sum of Rs.40,000/- on 21.04.2025,



Crl.O.P.(MD)No.13136 of 2025

he did not pay any money towards maintenance. According to the petitioner, the respondent is having sufficient means to provide maintenance and he is having rental income of Rs.1,50,000/-.

4.This Court is not inclined to find fault with the way in which, the learned Magistrate handled the application in Crl.M.P.No.6152 of 2024. However, considering the fact that the maintenance was awarded in the year 2018 and the respondent is evading the payment, this Court directs the Judicial Magistrate Court, Uthamapalayam to complete the proceedings in Crl.M.P.No.6152 of 2024, as expeditiously as possible. Accordingly, this criminal original petition is disposed of.

06.08.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
gns

To

The Judicial Magistrate Court, Uthamapalayam



WEB COPY



CrI.O.P.(MD)No.13136 of 2025

B.PUGALENDHI,J

gns

CrI.O.P.(MD)No.13136 of 2025

06.08.2025