



Crl.O.P(MD)No.15744 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.15744 of 2024

and

Crl.M.P(MD) Nos.9908 and 11025 of 2024

G.Vairamuthu

... Petitioner

Vs.

1.Vijaypriya

2.Minor Raveena

(The second respondent is represented
through her mother first respondent)

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to set aside the order, dated 13.06.2024 passed in Crl,R.P.No.04 of 2023 in M.C.No.14 of 2019 on the file of the Principal District and Sessions Judge, Virudhunagar District at Srivilliputtur by allowing this criminal original petition.

For Petitioner : Mr.A.Manikandan

For R1 and R2 : No appearance



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ORDER

This Criminal Original Petition has been filed seeking to set aside the order dated 13.06.2024 passed in Crl.R.P.No.04 of 2023 in M.C.No. 14 of 2019 on the file of the learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputtur.

2. The petitioner herein was the respondent in M.C.No.14 of 2019 on the file of the learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputtur. By order in the said proceedings, the petitioner was directed to pay a sum of Rs.6,000/- per month towards maintenance to the respondents herein. Aggrieved by the said order, the petitioner preferred Crl.R.P.No.04 of 2023 before the learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputtur, which came to be dismissed by order dated 13.06.2024. Challenging the said order, the present Criminal Original Petition has been filed.



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3. Section 397(3) of the Code of Criminal Procedure clearly mandates that where an application under Section 397 has been made by any person either to the High Court or to the Sessions Judge, no further application by the same person shall be entertained by either of the said Courts. In the present case, the petitioner has already invoked the revisional jurisdiction of the Sessions Court by filing Crl.R.P.No.04 of 2023 and the same has been dismissed on merits.

4. In view of the express statutory bar contained under Section 397(3) of Cr.P.C., this Court is not inclined to entertain the present Criminal Original Petition. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petitions are closed.

02.01.2026

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

Indu

To

The Additional Public Prosecutor,

3/5



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Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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