

Srinivasan Vs. Anusiya

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Court : Chennai

Decided On : Apr-21-2016

Judge : M. Venugopal

Appeal No. : Crl.M.P.No. 2929 of 2016 in Crl.R.C.No. SR.11051 of 2016

Appellant : Srinivasan

Respondent : Anusiya

Judgement :

(Prayer: Petition filed under Section 5 of the Limitation Act to condone the delay of 714 days in filing the Criminal Revision Petition against the order in M.C.No.25 of 2012 dated 27.12.2013 passed by the Learned Judicial Magistrate-II, Ponneri.)

Heard the Learned Counsel for the Petitioner.

2. It transpires that in Crl.M.P.No.2929 of 2016 in Crl.R.C.No.11051 of 2016, this Court on 16.03.2016 at para 5 had passed a conditional order which runs as follows:

... this petition will be allowed, on deposit of 50% of the arrears of maintenance as on today, as per the order of the Learned Judicial Magistrate No.II, Ponneri dated 27.12.2013 made in M.C.No.25 of 2012, on or before 06.04.2016.

and directed the matter to be listed on 06.04.2016 for reporting compliance.

3. When the matter came up for hearing on 16.04.2016, this Court passed an order to post the matter 'after two weeks' for filing compliance report.

4. The Learned counsel for the Petitioner brings it to the notice of this Court that the conditional order of deposit of 50% of arrears of maintenance as on 16.03.2016 as per the order of the trial Court dated 27.12.2013 made in M.C.No.25 of 2012 was not complied with by the Petitioner.

5. In as much as the conditional order passed by this Court in Crl.M.P.No.2929 of 2016 in Crl.RC.SR.11051 of 2016 dated 16.03.2016 has not been complied with by the Petitioner till date, this Court in the interest of justice, dismisses the Crl.M.P.No.2929 of 2016 (Delay Condonation Petition).

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