

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A. BADHARUDEEN

MONDAY, THE 31ST DAY OF JULY 2023 / 9TH SRAVANA, 1945

OP (CRL.) NO. 488 OF 2023

IN CONNECTION WITH CMP NO. 64/2023 IN MC NO. 64/2015 IN THE
FILES OF THE HON'BLE FAMILY COURT, THIRUVANANTHAPURAM

PETITIONER/RESPONDENT:

RATHEESH KUMAR
AGED 41 YEARS
S/O RAVEENDRANACHARI, T.C 31/1129,
POOVATHOOR HOUSE, PETTAH P.O, THAZHASSERY LANE,
THIRUVANANTHAPURAM, PIN- 695024

BY ADVS.
K.R.VINOD
M.S.LETHA
NABIL KHADER
CHITHRA C.EDADAN
MOHAMMED RAZALI K.A

RESPONDENT/PETITIONER:

RESHMA T
AGED 38 YEARS
D/O THANKACHAN, T.C 31/1218,
UTHRAM HOUSE, THARA-156, THAZHASSERY, PETTA P.O,
THIRUVANANTHAPURAM, PIN: 695024, PIN - 695024

BY ADV. M.P. PRASANTH PP

THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON
31.07.2023, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

A. BADHARUDEEN, J.

OP (Crl) No. 488 of 2023

Dated this the 31st day of July, 2023

O R D E R

The original petition has been filed with
following prayers:

“ (i) To direct the Hon’ble Family Court to stay all the further proceedings pursuant to Exhibit P2 notice and allow the petitioner to pay the amount of Rs. 36,000/- in 8 equated monthly installments.

(ii) To issue any other order or direction appropriate in the circumstances of this case.”

2. Heard the learned counsel for the petitioner.

Notice to the respondent stands dispensed with.

3. As on 30.06.2023, this Court directed the petitioner to deposit of Rs. 15,000/- within a period of one month.

4. Today, when this matter taken up for consideration, the learned counsel for the petitioner

submitted that Rs. 15,000/- was deposited on 14.07.2023 as per Ext.P2, notice in CMP No. 64/2023 issued by the Family Court, Thiruvananthapuram. The learned counsel for the petitioner submitted further that remaining amount is Rs. 21,000/- and the petitioner is ready to pay the same by two installments. Therefore, the petitioner may be granted two months time to pay off the said amount.

5. In view of the limited prayer and considering the fact that the petitioner has deposited Rs. 15,000/- as ordered by this Court, the petitioner is directed to pay an amount of Rs. 10,500/- within a period of three weeks from today and deposit the remaining amount within a period of three weeks thereafter.

6. It is specifically ordered that, if the petitioner fails to deposit any of the installments granted by this Court, the CMP can be proceeded and there shall be no stay in executing the same. If the petitioner deposits the first installment in time, the execution of order shall be deferred for a period of six weeks from

today.

Registry is directed to forward a copy of this order to the Family Court for information and compliance.

Sd/-

A. BADHARUDEEN
JUDGE

mtk

APPENDIX OF OP (CRL.) 488/2023

PETITIONER EXHIBITS

Exhibit P1

THE COPY OF CMP NO.64/2023 IN M.C NO. 64/2015
FAMILY COURT THIRUVANANTHAPURAM

Exhibit P2

THE COPY OF THE NOTICE ISSUED BY THE HON'BLE
FAMILY COURT, THIRUVANANTHAPURAM DATED 29.05.2023
DIRECTING THE PETITIONER TO REMIT THE AMOUNT OF
RS. 36,000/-