



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-07-2026

CORAM

THE HON'BLE MR.JUSTICE SHAMIM AHMED

CRL RC No. 1320 of 2026

and

CRL MP No.11202 of 2026

S.Pradeep
S/o.C.K.S.Soundarrajan,
No.294/369, Bharathi Nagar,
P.N.Pudur,
Marudhamalai,
Vadavalli,
Coimbatore - 641046.

..Petitioner(s)

Vs

1. S.Aishwarya
D/o.N.Sugabramam,
No.22, RKK Nagar,
Dhanalakshmi Nagar,
Villankurichi,
Coimbatore.
2. Minor P.Sai Advik
Represented by his Natural Gardian/Mother,
S.Aishwarya,
No.22, RKK Nagar,
Dhanalakshmi Nagar,
Villankurichi,
Coimbatore.

..Respondent(s)

Prayer: To set aside the order dated 12.02.2025 passed in M.C.No.116 of 2021 on the file of the learned Additional Principal Family Court, Coimbatore.

For Petitioner(s):

MR.V.Vadivalagia Nambi



ORDER

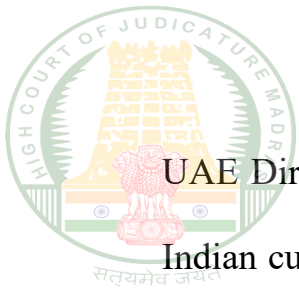
This Criminal Revision Case has been filed under Sections 397 and 401 of the Code of Criminal Procedure, challenging the order dated 12.02.2025 passed in M.C. No.116 of 2021 on the file of the learned Additional Principal Family Court, Coimbatore. By the impugned order, the learned Family Court directed the Revision Petitioner to pay a sum of Rs.50,000/- per month as maintenance to his minor son, P. Sai Adwik/2nd Respondent, from the date of the maintenance petition. It was further directed that any interim maintenance already paid by the Revision Petitioner shall be given due credit and deducted from the arrears. The maintenance petition insofar as it related to the claim of the wife, S. Aiswarya/1st Respondent, was dismissed by the learned Family Court by recording detailed reasons. Aggrieved only by the direction awarding maintenance to the minor child, the present Criminal Revision Case has been filed.

2. The facts of the case, in brief, are that the marriage between the Revision Petitioner and the 1st Respondent was solemnized on 20.02.2012 according to Hindu rites and customs at Sri Rathna Vinayagar Temple, D.B. Road, R.S. Puram, Coimbatore, and the marriage reception was held on the same day at Rajasthani Kalyana Mandapam, R.S. Puram, Coimbatore. The marriage was a love-cum-arranged marriage. At the time of engagement and marriage, both families exchanged gifts and gold ornaments, and the parents of the Revision Petitioner also presented a Tata Nano car to the couple. At the time



of marriage, the Revision Petitioner was employed with Royal Bank of Scotland (RBS), Chennai. According to the submissions made before this Court, he is presently employed in Dubai and is earning a substantial salary.

3. After the marriage, misunderstandings and matrimonial disputes gradually arose between the parties. According to the respondents, the relationship became strained mainly due to the interference of the Revision Petitioner's mother in their matrimonial life, as a result of which the 1st Respondent was subjected to mental agony and was eventually constrained to leave the matrimonial home and reside with her parents. Out of the said wedlock, a male child, namely P. Sai Adwik, was born. It is the specific case of the respondents that the Revision Petitioner neglected his marital obligations and left the 1st Respondent and the minor child at her parental home without making adequate arrangements for their maintenance. The respondents further alleged that the gold ornaments presented to the 1st Respondent at the time of marriage were retained by the Revision Petitioner's family and were not returned despite repeated requests. It is also their case that during the pregnancy of the 1st Respondent, the Revision Petitioner failed to provide the necessary care, emotional support, or financial assistance towards her medical expenses and other day-to-day needs. Subsequently, in the year 2015, the Revision Petitioner secured employment in a bank at Dubai and shifted abroad. According to the respondents, he was drawing a monthly salary of about 10,500



UAE Dirhams, which, according to them, amounted to a substantial income in Indian currency. Despite having sufficient financial means, it is alleged that the Revision Petitioner failed to maintain either the 1st Respondent or the minor child, leaving them with no other alternative except to initiate proceedings under Section 125 Cr.P.C. seeking maintenance.

4. After considering the pleadings, oral and documentary evidence adduced by both parties, the learned Family Court came to the conclusion that the 1st Respondent was gainfully employed and earning sufficient income for her maintenance and, therefore, dismissed her claim. However, having found that the Revision Petitioner was employed as a bank officer in Dubai and earning a substantial salary, the learned Family Court directed him to pay Rs.50,000/- per month as maintenance to the minor son from the date of the petition, after deducting any interim maintenance already paid.

5. This Court heard Mr. V.Vadivalagia Nambi, learned counsel appearing for the Revision Petitioner, and carefully perused the impugned order and the entire materials available on record.

6. The learned counsel for the Revision Petitioner submitted that the learned Family Court has fixed an exorbitant amount of maintenance without properly appreciating the actual income and liabilities of the Revision



Petitioner. It is contended that the Family Court failed to consider his financial commitments and overseas expenses while directing payment of Rs.50,000/- per month to the minor child. It is further submitted that the amount awarded is excessive and disproportionate and therefore requires interference by this Court in exercise of its revisional jurisdiction.

7. This Court has carefully considered the rival submissions and perused the impugned order as well as the entire records.

8. It is an admitted fact that the minor child, P. Sai Adwik, was born out of the lawful wedlock between the Revision Petitioner and the 1st Respondent. The learned Family Court, after elaborate consideration of the evidence, recorded a categorical finding that the 1st Respondent is employed and earning sufficient income and accordingly dismissed her claim for maintenance. The said finding has attained finality, as the 1st Respondent has not challenged the dismissal of her claim.

9. The only issue that arises for consideration in this revision is with regard to the maintenance awarded to the minor child.

10. The liability of a father to maintain his minor child is a statutory as well as a moral obligation. The child cannot be denied maintenance merely



because disputes exist between the spouses. The learned Family Court has recorded a finding that the Revision Petitioner is employed as a bank officer in Dubai and is earning a handsome salary. After taking into consideration the financial capacity of the Revision Petitioner and the needs of the growing child, the Family Court fixed maintenance at Rs.50,000/- per month.

11.Having carefully gone through the impugned order, this Court finds that the learned Family Court has assigned cogent and convincing reasons while arriving at the said conclusion. In the present day, considering the ever-increasing cost of living, educational expenses, medical expenses, food, clothing and other essential requirements of a growing child, the amount awarded cannot be said to be excessive or unreasonable. The entire maintenance is meant exclusively for the welfare, education and upbringing of the minor child.

12.The present revision has been filed only against the maintenance awarded to the son. In substance, the Revision Petitioner seeks to avoid his statutory obligation of maintaining his own son born out of the lawful wedlock with the 1st Respondent. Such a contention deserves outright rejection.

13.This Court does not find any illegality, perversity, jurisdictional error or material irregularity in the well-reasoned order passed by the learned Family Court. The findings recorded are based upon proper appreciation of the



evidence and do not warrant interference in exercise of the limited revisional jurisdiction under Sections 397 and 401 Cr.P.C. Thus, this Criminal Revision Case is devoid of merits and is liable to be dismissed.

14. Accordingly, this Criminal Revision Case stands **dismissed**. The order dated 12.02.2025 passed by the learned Additional Principal Family Court, Coimbatore, in M.C. No.116 of 2021, directing the Revision Petitioner to pay Rs.50,000/- per month as maintenance to the minor child, P. Sai Adwik, from the date of the petition, is hereby **confirmed**.

15. The learned Family Court is directed to proceed in accordance with law for recovery of the entire arrears of maintenance due from the Revision Petitioner and shall pay the entire arrears of maintenance to the mother of the minor child/2nd Respondent within a period of two months from today.

16. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

17. The registry of this court is directed to sent the copy of this order to the learned Additional Principal Family Court, Coimbatore, forthwith.

27-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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WEB COPY

To

- 1.The Additional Principal Family Court, Coimbatore.
- 2.The Public Prosecutor, Madras High Court.

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SHAMIM AHMED, J.

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