



WEB COPY

CRL RC No. 1539 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-07-2026

CORAM

THE HON'BLE MR.JUSTICE SHAMIM AHMED

**CRL RC No. 1539 of 2026
and Crl.MP.No. 13434 of 2026**

R.Rajesh

..Petitioner(s)

Vs

B.Priyanka

..Respondent(s)

This Criminal Revision Case is filed under Section 438 read with 442 of BNSS, to set aside the order dated 24.03.2026 made in M.C.No.483 of 2024 passed by the Learned VII Additional Principal Family Court at Chennai and thus render justice.

For Petitioner(s): M/s.S.Sathish Rajan

ORDER

This Criminal Revision Case is filed to set aside the order dated 24.03.2026 made in M.C.No.483 of 2024 passed by the Learned VII Additional Principal Family Court at Chennai.

2. The facts of the case are that the Revision Petitioner and the 1st Respondent got married on 06.05.2011. Out of the wedlock, a male child was born to them on 13.02.2012, who is under the care and custody of the petitioner herein. Due to misunderstanding between the couple, they are living separately and the respondent filed a Divorce petition and the same is



still pending. During pendency, the respondent had filed maintenance case in MC.No.483 of 2024, seeking maintenance before the Trial Court. The learned Trial Court, by the impugned order dated 24.03.2026, a sum of Rs.25,000/- p.m. was ordered to be paid to the respondent as maintenance. Challenging the said order, this Criminal Revision Case has been filed by the Revision Petitioner.

3. This Court heard Mr.S.Sathish Rajan, the learned counsel for the Revision Petitioner. Since no adverse order is passed against the respondent, notice to them is dispensed with.

4. The learned counsel for the Revision Petitioner has submitted that the court below failed to appreciate the fact that the respondent voluntarily refused to live with him, without any reasonable cause and that without considering the liabilities and the financial status of the Revision Petitioner and also the source of income available to the Respondent, the Trial Court had passed the impugned order, granting maintenance to the tune of Rs.25,000/- p.m. to the respondent and that without proper application of mind, the impugned order had been passed in a mechanical manner and hence, this Criminal Revision Case is liable to be allowed, as prayed for.

5. This Court considered the submissions of the learned counsel for the



petitioner and also perused the entire materials placed on record.

WEB COPY

6. The fact that the Revision Petitioner is the husband of the respondent and they got a male child, is admitted and not in dispute. Before the Family Court, the petitioner/husband has specifically stated that the child is under the care and custody of the revision petitioner and the respondent/wife is residing in her own house. The respondent has share in her father's property at Chennai. The petitioner's father is retired railway employee and drawing pension of Rs.30,000/- per month. In response, the respondent wife has stated that the petitioner is working in ICF at Perambur, Chennai, earning over Rs.1,25,000/-. To prove the same, she has produced a salary slip/Ex.R3 of the petitioner. On perusal of the salary slips, it is seen that the average monthly income of the petitioner was fixed by the Family Court is at Rs.2,80,804/-

7. Furthermore, after the separation, the petitioner has paid a sum of Rs.9000/- per month to the respondent as interim maintenance, which is very meagre. Noting that the wife is not an earning member and that the petitioner/husband has sufficient means to support her, the Court ruled in favour of the respondent. The Family Court has directed the petitioner to pay a sum of Rs.25,000/- per month to the wife as maintenance, his omission is not sustainable, and as a dutiful husband, he remains obligated to maintain her.



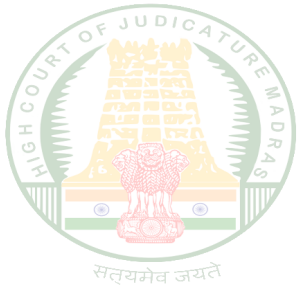
WEB COPY

8. The amount fixed towards maintenance by the Court Below is Rs.25,000/- for the respondent, which, in the present days of rising prices and high cost of living, cannot be considered as excessive or disproportionate or unreasonable. The said monetary relief granted to the Respondents, by the courts below is adequate, fair and reasonable and consistent with the standard of living, to which the aggrieved person is accustomed.

9. The provision of Section 144 of BNSS *is enacted to stop the vagrancy of a destitute wife/child and provide some succour to them, who are entitled to get the maintenance, which cannot be denied.*

10. Further, the learned counsel for the Revision Petitioner has not been able to point out any illegality or impropriety or incorrectness in the impugned orders, granting such quantum of maintenance, warranting interference by this Court.

11. In such circumstances, to meet the ends of justice, the impugned orders does not require any interference by this Court, as this Court does not find any illegality or impropriety or incorrectness in the impugned orders and this Criminal Revision Case lacks merit and hence, it is liable to be dismissed.



WEB COPY

12. In the result, the Criminal Revision Case stands **dismissed**, as devoid of merits. There is no order as to costs. Consequently, connected miscellaneous petition is closed.

13. The petitioner is directed to deposit the entire arrears of maintenance, less amount if any, already deposited, within a period of four weeks from the date of receipt of a copy of this order. Further, the petitioner is directed to pay the monthly maintenance regularly which was ordered by the Family Court dated 24.03.2026 to the respondent on or before every 5th day of English Calender month without any default.

29-07-2026

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

rli

To
The Judge,
VII Additional Principal Family Court, Chennai.



WEB COPY

CRL RC No. 1539 of 2



SHAMIM AHMED, J.

rli

CRL RC No. 1539 of 2026

29-07-2026