



WEB COPY

CRL RC No. 485 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-08-2026

CORAM

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

**CRL RC No. 485 of 2026
and CRL.MP.No.3723 of 2026**

R.Ajaykumar@r.Ajaykumar Vignesh
S/o B.Rajasekar,
101, Floor,
Elegant Desire,
No.1, Coles Road,
Frazer Town,
Bangalore-560 005.

..Petitioner(s)

Vs

1. V.Rashantha@shivya
W/o.Mr.Ajaykumar Vignesh,
D/o.G.M.Vijayeavel,
No.947-A, 54th Street,
TVS Colony,
Anna Nagar West,
Chennai-600 101.
2. Minor A.Vikash
S/o Ajaykumar Vignesh,
Rep by his mother and Natural Guardian
V.Rashantha @ Shivya,
No.947-A, 54th Street,
TVS Colony,
Anna Nagar West,
Chennai.

..Respondent(s)

PRAYER: Criminal Revision Case is filed under Sections 438 & 442 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to set aside the fair and decretal order passed in MC No.270 of 2019 on the file of I Additional Family Court at Chennai by order dated 25.08.2021.



For Petitioner(s): Mr.Guru Dhananjay

For Respondent(s): M/s..V.Uma Shankari

ORDER

This Criminal Revision Case has been filed challenging the order dated 25.08.2021 passed in M.C.No.270 of 2019 by the I Additional Family Court, Chennai, thereby directing the petitioner to pay a sum of Rs.55,000/- per month as maintenance to the respondents.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner is the husband of the 1st respondent. The marriage between the petitioner and the 1st respondent was solemnized on 26.01.2015 and out of the wedlock, a male child was born. In the meanwhile, the petitioner issued legal notice on 20.05.2019 to the 1st respondent for divorce on mutual consent. Due to misunderstanding, they got separated and the child is in the custody of the 1st respondent/mother. The 1st respondent, being the wife, was not able to maintain herself and residing with her parents, filed a maintenance case in M.C.No.270 of 2019 before the I Additional Family Court, Chennai. By an order dated 25.08.2021, the Trial Court directed the petitioner to pay a



sum of Rs.55,000/- per month as maintenance to the respondents. Thereafter, the petitioner moved an application for extension of time for deposit a sum of Rs.20,00,000/- and this Court by order dated 27.02.2026 in Crl.M.P.No.3723 of 2026 directed the petitioner to deposit a sum of Rs.10,00,000/- to the credit of M.C.No.270 of 2019 and another Rs.10,00,000/- to be deposited within a period of four weeks. The petitioner shall continue to pay a sum of Rs.40,000/- per month as maintenance to the respondents until further orders, failing which the interim stay shall stand vacated and the respondents shall be at liberty to execute the impugned order. Again the petitioner filed another petition for extension of time in Crl.M.P.No.11578 of 2026 and by order dated 08.07.2026 the petitioner was directed to pay the entire remaining amount failing which the case will be taken up for consideration.

4. The learned counsel for the respondents submitted that so far the petitioner has paid Rs.5,50,000/-. In the original order passed by the I Additional Family Court, Chennai dated 25.08.2021 whereas the respondent was directed to pay a sum of Rs.55,000/- p.m. as maintenance in toto the calculation comes around Rs.46,00,000/- and however, out of Rs.46,00,000/- the petitioner has paid only Rs.5,50,000/- to the respondents.

5. The learned counsel for the petitioner submits that he has no resource to pay the balance amount.



6. It is admitted fact that the respondents 1 & 2 are living separately and the first respondent is only maintaining the 2nd respondent. It is also not disputed by the petitioner that the first respondent is his wife and the 2nd respondent is his son. Hence, the petitioner has a legal obligation and bound to maintain the respondents. The petitioner was called absent and set ex-parte before the trial Court and that the contentions of the first respondent/wife stands very much unchallenged and uncontroverted. Hence, the trial Court after considering the material available on record awarded maintenance. On perusal of records, this Court finds no irregularity or illegality or perversity in the order passed by the Court-below.

7. In the result, the revision is disposed of in the above terms and the judgment passed by the I Additional Family Court, Chennai, dated 25.08.2021 is confirmed. The I Additional Family Court, Chennai shall issue necessary warrant to secure the respondent/petitioner herein to undergo imprisonment in compliance with Section 125 of Cr.PC. Consequently, connected miscellaneous petition is closed.

19-08-2026

Index: Yes/No
Speaking/Non-speaking order
DPQ



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N.SENTHILKUMAR, J.

DPQ

To

1. The I Additional Family Court,
Chennai.

2. The Public Prosecutor
High Court Madras.

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