

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.01.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Crl.R.C.No.52 of 2016

&

Crl.M.P.No.304 of 2016

R.Kumaran

.. Petitioner

vs.

1.Mohanavalli

2.Savitha (Minor)

.. Respondents

Criminal Revision filed under section 397 and 401 Cr.P.C. to set aside the order dated 12.10.2015 made in M.C.No.31 of 2014 on the file of the Judicial Magistrate Court, Cheyyar.

For Petitioner : Mr.S.Prabhu

For Respondent : Mr.C.Iyyapparaj
Govt. Advocate (Crl.side)

O R D E R

This revision challenges the order passed by the learned Judicial Magistrate, Cheyyar dated 12.10.2015 in M.C.No.31 of 2014.

2. Heard learned counsel for petitioner and learned Government Advocate (Crl.side).

3. The petitioner and first respondent were husband and wife and the second respondent is their daughter. The respondents moved maintenance case in M.C.No.31 of 2014 before the Judicial Magistrate, Cheyyar seeking maintenance in sum of Rs.15,000/- each to the respondents informing that they were under the care of first respondent's parents, that they had no individual source of income and hence, were in need of maintenance.

4. The Court below, on appreciation of evidence tendered before it and particularly finding that the petitioner himself has admitted in his cross-examination that he is earning a sum of Rs.6000/- per month by working as Electrician and is also earning a sum of Rs.7,000/- by assisting his father in running a marriage

hall, directed the petitioner to pay a sum of Rs.3000/- per month to the first respondent and a sum of Rs.2,000/- per month to the second respondent. Thereagainst, the petitioner has preferred the present revision.

5. Learned counsel for the petitioner submits that the court below failed to advert to the fact that the first respondent is working in East Wind Footwear Company Limited, Vembakkam and drawing a salary of Rs.8728/- per month and the reasoning given by the Court below in ordering interim maintenance cannot be sustainable.

6. This Court is of the considered view that the finding rendered by the Court below in ordering interim maintenance is a well reasoned one and the same do not warrant any interference.

This Criminal Revision Petition is dismissed. Consequently, the connected miscellaneous petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

gpa

To

1. The Judicial Magistrate Court
Cheyyar

2. The Chief Judicial Magistrate
Tiruvannamalai District

3. The Additional Public Prosecutor
High Court, Madras.

WEB COPY

CrI.R.C.No.52 of 2016 &
CrI.M.P.No.304 of 2016

RSI (CO)
kk 4/3