



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.02.2020

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

**Crl.O.P(MD)No.23600 of 2015
and
M.P. (MD)No.1 of 2015**

Muralidharan ... Petitioner/ Respondent

Vs.

Jois Kohila ... Respondent/Petitioner

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to set aside the order of the learned Additional District and Sessions Judge, Dindigul passed in C.R.P.No.20 of 2014 dated 04.08.2015 modifying the order dated 20.12.2013 passed by the Chief Judicial Magistrate, Dindigul in M.C.No.12 of 2013.

For Petitioner : Mr.D.Venkatesh

O R D E R

The petitioner and the respondent got married on 19.08.2012. No child was born through the wedlock. Their matrimonial relationship came under strain and the respondent left the matrimonial home. She filed M.C.No.12 of 2013 under Section 125 of Cr.P.C. seeking maintenance before the learned Chief Judicial Magistrate, Dindigul. By order dated 20.12.2013, the petitioner herein was directed to pay a sum of Rs.2,000/- per month as maintenance. Aggrieved by the same, the petitioner herein filed C.R.P.No.16 of 2014 while the respondent herein filed C.R.P.No.20 of 2014. The learned Additional District and Sessions Judge, Dindigul by order dated 04.08.2015 dismissed the revision petition filed by the petitioner herein and allowed the revision petition filed by the respondent by enhancing the maintenance from Rs.2,000 per month to Rs.3,000 per month. Aggrieved by the same this criminal original petition has been filed.

2.The petitioner is employed in a transport corporation as a conductor. His monthly salary must be around Rs.30,000/-. The petitioner's counsel states that the petitioner had met with some accident and he is suffering from serious disability. I am of the view that when the monthly salary of the petitioner is around Rs.30,000/- directing him to pay sum of Rs.3,000/- per month towards maintenance of the respondent cannot said to be excessive by any



standard. Therefore, the order passed by the learned Revisional Court does not warrant any interference. The criminal original petition stands dismissed. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (CS-II)

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Sub Assistant Registrar(CS)

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To

1. The Additional District and Sessions Judge,
Dindigul.
2. The Chief Judicial Magistrate,
Dindigul.

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