



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.03.2022

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**
Cr1.R.C. (MD)No.185 of 2022
in
Cr1.M.P(MD)No.2799 of 2022

Thiruppathy

... Petitioner/Respondent

Vs.

1.Uma Maheswari

2.Minor.T.Saili

(Represented by mother, next friend
and guardian Uma Maheswari)

...Respondents/Petitioners

Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records and set aside the order passed in M.C.No.6 of 2019 on the file of the Family Court, Karur dated 25.11.2021 and allow this Criminal Revision Petition.

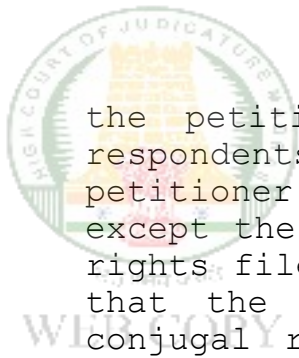
For Petitioner : Mr.N.Balakrishnan

O R D E R

This petition has been filed to call for the records and set aside the order passed in M.C.No.6 of 2019 on the file of the Family Court, Karur dated 25.11.2021 and allow this Criminal Revision Petition.

2. The petitioner is the husband and the first respondent is the wife. They got married 09.02.2021 and due to the wedlock they gave birth to the second respondent. Thereafter the petitioner and his family members harassed the first respondent demanding more dowry and the first respondent was driven out of the matrimonial home and they got separated. Thereafter the first respondent filed maintenance case as against the petitioner. Admittedly the petitioner is working in Assistant in Co-operative Bank and receiving salary of Rs.80,000/-

3. The learned counsel for the petitioner would submit that the petitioner has also filed a petition for restitution of conjugal rights and as such the petitioner is ready and willing to take back the respondents. He would further submit that in other proceedings,



the petitioner was directed to pay interim maintenance to the respondents. But there is no piece of materials to show that the petitioner was already paying interim maintenance to the respondents except the maintenance case. That apart the restitution of conjugal rights filed by the petitioner was dismissed for default . It shows that the petitioner has filed the petition for restitution of conjugal rights only to escape from the clutches of maintenance case. Further the petitioner did not even pay a single penny till today to the respondent.

4. In view of the above, this Court finds no illegality or infirmity in the order passed by the Family Court, Karur.

5. Hence the Criminal Revision stands dismissed. Consequently connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To
The Judge,
Family Court, Karur.

COPY TO:-

The Record Keeper,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai. (2 copies)

CrI.R.C. (MD)No.185 of 2022
in
CrI.M.P (MD)No.2799 of 2022
10.03.2022

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