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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 08.03.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C(MD)No.229 of 2022

and

Crl.M.P(MD)No.3136 of 2022

R.Madanagopal

... Revision Petitioner/Respondent

Vs.

1.M.Dhanalakshmi

2.Minor M.Methini

... Respondents/Petitioners

(R - 2 represented through her mother &
Natural Guardian R - 1)

PRAYER: Criminal Revision Case filed under Section 397 read with Section 401 of the Code of Criminal Procedure, to call for the records relating to the case in M.C.No.12 of 2017, dated 15.12.2021 on the file of the learned Judicial Magistrate No.I, Sivakasi and set aside the same as illegal.

For Petitioner

: Mr.J.Jeyakumaran

ORDER

This revision has been filed as against the order of maintenance in M.C.No.12 of 2017, dated 15.12.2021 filed by the respondents herein on the file of the learned Judicial Magistrate No.I, Sivakasi.

2.The petitioner and the first respondent got married on 14.06.2010. Due to their wedlock, they gave birth to the second respondent herein. Thereafter, due to harassment by the petitioner's parents and demand of huge dowry, she was driven out from the matrimonial home. Therefore, she filed a maintenance case under Section 125 of Cr.P.C. Admittedly, the petitioner is working as a software Engineer at Chennai. Though the first respondent was working in Amazon, subsequently, she lost her job and living along with the second respondent in her parents house. Considering the above, the Court below ordered a sum of Rs.5,000/- payable in favour of the first respondent and a sum of Rs.15,000/- payable in favour of the second respondent.

3.The learned counsel appearing for the petitioner would submit that the petitioner is ready and willing to pay a sum of Rs.15,000/- in favour of the second respondent.

<https://hcservices.ecourts.gov.in/hcservices/>



4. Heard the learned counsel appearing for the petitioner.

5. It is seen that though the petitioner is ready and willing to pay a sum of Rs.15,000/- in favour of the second respondent, the petitioner challenged the maintenance awarded in favour of the first respondent. However, he filed a petition for restitution of conjugal rights and though the first respondent is ready and willing to join and only due to the reason that the petitioner's parents ill-treated and demanding huge dowry, she could not able to live with the petitioner. Therefore, this Court feels that the award of maintenance is very meagre and it does not require any intervention by this Court. Accordingly, the Criminal Revision Case fails and the same is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AS)

// True Copy //

/ /2022

Sub Assistant Registrar

ps

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1. The Judicial Magistrate No.I,
Sivakasi.

+1 CC to M/s.J.JEYAKUMARAN, Advocate
(SR-11237[F] dated 10/03/2022)

Order made in
Crl.R.C(MD)No.229 of 2022
08.03.2022

SP/21/03/2022/2P/3C