



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2022

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C.(MD)No.324 of 2020

WEB COPY

S.Muthusamy

... Petitioner/Petitioner/Petitioner

Vs.

M.Santhanam

... Respondent/Respondent/Respondent

Prayer: This Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C. to set aside the order passed in Crl.M.P.No.11980/2019 in Crl.R.C.10 of 2019 on the file of the 3rd Additional District Court, Tirunelveli by allowing this criminal revision petition.

For Petitioner : Mr.H.Arumugam

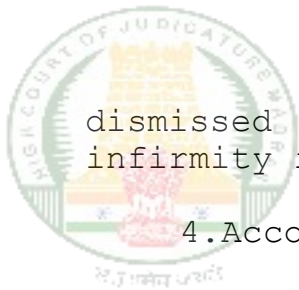
For Respondent : Mr.K.Sankararaman

ORDER

This Criminal Revision Petition has been filed as against the order passed in Crl.M.P.No.11980/2019 in Crl.R.C.10 of 2019 on the file of the III Additional District Court, Tirunelveli, thereby dismissing the petition for receiving additional documents.

2.The petitioner is the husband and the respondent is the wife. They got married and after giving birth to two sons, they got separated, due to misunderstandings between them. The respondent filed maintenance case in MC No.10 of 2017 and the trial court ordered a sum of Rs.2,000/- as monthly maintenance, payable by the petitioner to the respondent. Aggrieved by the same, the petitioner preferred revision, in Crl.R.C.No. 10 of 2019, on the file of learned III Additional District Judge, Tirunelveli. While pending revision, the petitioner filed a petition to receive additional evidence, with regard to the salary slip of respondent herein. The revision Court dismissed the petition, for the reason that at the time of revision, receiving additional documents is not maintainable.

3.The proceedings under section 125 Cr.P.C are intended for affording speedy remedy to the wife to obtain maintenance from her husband, if in revision cases arising out of the order passed in such proceedings the additional evidence is allowed, to be adduced in a routine manner, it would cause undue hardship to the parties seeking maintenance and ultimately it would defeat the very purpose underlying Section 125 of Cr.P.C. Therefore, the court below rightly



dismissed the petition and this court finds no illegality or infirmity in the order passed.

4. Accordingly, this Criminal Revision Petition is dismissed.

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Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

PNM

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
The III Additional District Judge,
Tirunelveli.

+1 CC to M/s.H.ARUMUGAM, Advocate SR-9916[F]

+1 CC to M/s.K.RAJESHWARAN, Advocate SR-10006[F]

ORDER IN

CrI.R.C. (MD) No. 324 of 2020

02.03.2022

PKP/12.03.2022/2P/4C