



Crl.R.C.No.45 of 2020

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P.VELMURUGAN, J.

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Today, the matter is listed under the caption “for being mentioned” at the instance of the learned counsel for the petitioner.

2. It is represented by the learned counsel for the petitioner that at the time of passing the order this Court partly allowed the above revision by modifying the interim maintenance from Rs.40,000/- (Rs.10,000/- per month, each of the respondents herein totally Rs.40,000/-) to Rs.25,000/-. However, while typing the order dated 06.01.2023 in Crl.R.C.No.45 of 2020 it was wrongly typed as dismissed and the award of the Family Court was confirmed.

3. In the light of the above submission, in continuation of the earlier order dated 06.01.2023, Paragraph Nos.9 to 11 of the said order shall be substituted as follows:

"9. The financial status of the petitioner can be decided only in the main case and the present revision case is arising out of the interim maintenance order. Further, the petitioner/husband is having meet out the basic necessities of the respondents for



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their livelihood and also paying the school fees and other expenses for the three children/respondents 2 to 4 herein and also paying a sum of Rs.5,000/- per month as per the order in D.V.A.No.34 of 2017 on the file of the Judicial Magistrate Court No.VII, Coimbatore. Hence, this Court is inclined to allow the petition partly by ordering a sum of Rs.25,000/- per month as interim maintenance to the respondents herein.

10. In view of the above, this Criminal Revision Case is partly allowed and the maintenance amount awarded by the trial Court, as interim maintenance of Rs.10,000/- per month to each of the respondents herein (totally Rs.40,000/-) is modified to Rs.25,000/- (totally), Rs.10,000/- for the first respondent/wife and Rs.5,000/- each to the respondents 2 to 4/minor children, per month as interim maintenance. The petitioner shall deposit totally a sum of Rs.25,000/- per month as interim maintenance to the credit of Crl.M.P.No.38 of 2019 in M.C.No.174 of 2018 to the respondents 1 to 4 and the same shall be deposited directly to the 1st respondent's Bank account on or before 5th day of every English Calendar month.

11. Since the procedure under Section 125 Cr.P.C is summary in nature, the learned Judge is directed to dispose of the main case in M.C.No.174 of 2018 within a period of three months. The parties have to file an affidavit of Assets and



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Liabilities as per the decision of the Hon'ble Supreme Court in ***Rajnesh vs. Neha and another*** reported in ***(2021) 2 SCC 324***. In case, the said Affidavit is not yet filed, both the parties are directed to file an affidavit of Assets and Liabilities within a period of three weeks from today. The learned Judge, Family Court is directed to decide the matter within a period of three months even if the parties are not filing the said affidavit, the learned Judge is directed to proceed with the case in M.C.No.174 of 2018 within a stipulated time in accordance with law.

12. Consequently, connected miscellaneous petition is closed."

In all other aspects, the order dated 06.01.2023 shall remain intact.

4. The Registry is directed to rectify the error crept in the order dated 06.01.2023 and issue fresh order copy.

10.02.2023

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