



Crl.R.C. Nos.1091 & 850 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2023

CORAM

THE HONOURABLE MRS. JUSTICE **R.HEMALATHA**

Crl.R.C.Nos.1091 & 850 of 2023 &

Crl.M.P. Nos.6530 & 6532 & 8669 of 2023

Jaishankar, B

...Petitioner in Crl.R.C. No.1091/2023

...Respondent in Crl.R.C. No.850/2023

Vs.

1.Deepika

2. Kavin (minor)

...Respondents in Crl.R.C. No.1091/2023

...Petitioners in Crl.R.C. No.850/2023

Common Prayer : Criminal Revisions filed under Section 397 r/w 401 Cr.P.C. against the order dated 30.11.2022 passed in M.C.No.503/2021 on the file of the V Additional Principal Judge, Family Court, Chennai.

In Crl.R.C.No. 1091 of 2023

For Petitioner : Mr. I. Lakshnamana Shankar

For Respondents : Mr. George Williams

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For Petitioners : Mr. George Williams

For Respondent : Mr. I. Lakshnamana Shankar

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COMMON ORDER

The present Criminal Revision Cases are filed against the orders dated 30.11.2022 passed in M.C.No.503/2021 on the file of the V Additional Principal Judge, Family Court, Chennai.

2. For the sake of convenience the parties are referred to as per their ranking in Crl.R.C. No.1091/2023.

3. The revision petitioner is the husband and the 1st respondent is his wife. The 2nd respondent is their minor son. The respondents filed a petition in M.C. No.503/2021 under Section 125 Cr.P.C before the V Additional Principal Judge, Family Court, Chennai, praying maintenance of Rs.95,000/- per month for the 1st respondent and Rs.75,000/- per month for the 2nd respondent. The revision petitioner/husband filed a counter stating that the 1st respondent is employed in INFOSYS Ltd., drawing a monthly salary of Rs.1,50,000/- with incentives and prayed for dismissal of the said petition.



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4. The learned trial court judge, after considering the rival submissions made by both the parties, directed the revision petitioner/husband to pay a sum of Rs.10,000/- per month to the 1st respondent and Rs.20,000/- per month to the 2nd respondent (minor son of the revision petitioner) until he attains majority from the date of the petition.

5. Aggrieved over the same, Crl.R.C. No.1091 of 2023 is filed by the revision petitioner/husband praying to set aside the order passed by the trial court and Crl.R.C. No.850 of 2023 is filed by the respondents for enhancement of maintenance awarded by the trial court.

6. Mr. I. Lakshnamana Shankar, learned counsel for the revision petitioner/husband contended that the revision petitioner has been paying a sum of Rs.11,500/- per month to his wife even before the filing of the maintenance petition and that the same has not been taken into account by the trial court judge while passing the orders. He further



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contended that the revision petitioner (husband) is willing to pay a sum of Rs.30,000/- per month to the respondents apart from paying the school fees of his son and other incidental charges. The learned counsel for the respondents is agreeable for the same. In the circumstances, the orders passed by the trial court is confirmed and the revision petitioner/husband is directed to pay a sum of Rs.10,000/- per month to the first respondent and Rs.20,000/- per month to the 2nd respondent (minor son of the revision petitioner) till he attains majority apart from bearing the educational expenses of his son (2nd respondent) and other incidental charges.

7. In the result,

i. the Criminal Revision Cases are disposed of.

Consequently connected miscellaneous petitions are closed.

ii. The orders dated 30.11.2022 passed in M.C.No.503/2021 on the file of the V Additional Principal Judge, Family Court, Chennai, is confirmed.



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iii. The revision petitioner/husband is directed to pay the maintenance amount awarded by the trial court apart from bearing the educational expenses of his son (2nd respondent) and other incidental charges.

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Index: Yes/No
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R. HEMALATHA, J.
bga

To

V Additional Principal Judge, Family Court, Chennai,

Crl.R.C.Nos.1091 & 850 of 2023 &
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