



Crl.R.C(MD)No.922 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 21.07.2023

CORAM :

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Crl.R.C(MD)No.922 of 2022
and
Crl.M.P(MD)No.11419 of 2022

S.Veeramurugan

.. Petitioner / Appellant/Respondent

Vs.

Manimegalai

.. Respondent / Respondent / Petitioner

PRAYER: Criminal Revision filed under Section 397 r/w 401 of the Criminal Procedure Code, against the order passed by the learned Additional District Judge, Virudhunagar in C.A.No.16/2019 dated 13.08.2021 confirming the order passed by the learned Judicial Magistrate, Aruppukottai in M.C.No.3 of 2015 dated 15.02.2019.

For Petitioner : Mr.B.Muneeswaran

For Respondent : No appearance



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ORDER

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This Criminal Revision case is filed challenging the order passed by the learned Additional District Judge, Virudhunagar in C.A.No.16 of 2019 dated 13.08.2021 confirming the order passed by the learned Judicial Magistrate, Aruppukottai in M.C.No.3 of 2015 dated 15.02.2019.

2. The respondent married the petitioner on 29.06.2014. Out of the wedlock, one male child was born. According to the respondent, the petitioner committed some domestic violence against her and hence, she left the matrimonial home and living separately and filed a petition under the provisions of the Protection of Women from Domestic Violence Act, 2005, before the learned Judicial Magistrate, Aruppukottai in M.C.No.3 of 2016 claiming the relief of Rs.20,000/- p.m as maintenance to herself as well as her child under Section 20 of the Act; restraining the petitioner as well as his relative from harassing her under Section 18(d) of the Act; to give Rs.5,000/- as rent under Section 19(f) of the Act and she claimed the return the jewels under Section 19(8) of the Act. Apart from that under Section 24 of the Act, she claimed the compensation of Rs.1,00,000/-. The petitioner filed counter denied the allegation made in the petition and specifically stated that the



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petition is filed with false allegation against the petitioner and the steps taken by him to live together with the respondent ended in vain and also the petitioner does not earn much to meet out the relief claimed by the respondent.

3. The learned trial Judge, after considering the evidence and also the documents, granted relief of Rs.8,000/- as maintenance under Section 20 of the Domestic Violence Act. Further the learned trial Judge passed order under Section 18(d) refraining the petitioner as well as the relatives from harassing the respondent either in person or through any other mode. He further granted Rs.2,500/- as monthly rent under Section 19(f) of the Act. For the relief seeking under Section 19(8) as well as Section 22, the learned trial Judge dismissed the petition. Aggrieved over the same, the petitioner filed the appeal before the Additional District and Sessions Court, Virudhunagar in Crl.A.No.16 of 2012 under the Domestic Violence Act. The learned Appellate Judge after re-appreciation of evidence as well as consideration of the submissions made by the parties, confirmed the order passed by the trial Court. Challenging the same, the petitioner filed this petition.



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4. The learned counsel for the petitioner confined his argument regarding the quantum of maintenance. The learned counsel further submitted that the petitioner received only Rs.15,000/- as monthly salary and hence, grant of Rs.8000/- is not appropriate in the special circumstances of the case and hence, he seeks reduction of maintenance amount.

5. Considering the fact that the respondent is duty-bound to take care of the child, this Court is of the view that for the cost of living of the present scenario, award of Rs.8000/- as maintenance is reasonable one and hence, this Court finds no reason to interfere the award amount granted by both the Courts below.

6. In the result, this Criminal Revision Petition is dismissed. Consequently, connected miscellaneous petition is closed.

21.07.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
PJJ



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- To
- 1.The Additional District Judge,
Virudhunagar.
 - 2.The Judicial Magistrate,
Aruppukottai.
 - 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN, J.

PJL

**Order made in
Crl.R.C(MD)No.922 of 2022**

21.07.2023