



Crl.R.C.(MD)No.59 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.03.2023

CORAM

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

Crl.R.C.(MD)No.59 of 2018

and

Crl.M.P.(MD)Nos.611 of 2018 & 5442 of 2020

N. Ramakrishnan

... Petitioner

Vs.

1. Subhashini

2. Minor Guru Priya

(R2 represented through R1 / natural guardian)

... Respondents

PRAYER : Criminal Revision filed under Section 397 and 401 of the Criminal Procedure Code, to call for the records relating to the order dated 5.4.2017 made in M.C.No.3 of 2014 on the file of the Family court, Tiruchirappalli, set aside the same.

For Petitioners : Mr. K.Rajkumar

For R1 : Mrs.R.Sridevi

R2-Minor



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ORDER

This Criminal Revision Case has been filed to set aside the order dated 5.4.2017 made in M.C.No.3 of 2014 on the file of the Family court, Tiruchirappalli.

2.The petitioner got married the first respondent on 07.03.2011. After marriage, the first respondent gave birth to the second respondent. Thereafter, there was some misunderstanding between them and as such, the first respondent driven out from the matrimonial home and filed a petition for maintenance. The petitioner also filed a petition for divorce, even before filing of maintenance petition in HMOP.No.290 of 2012 on the file of the Principal Sub Court, Tiruchirappalli on the ground of cruelty.

3.Before trial Court, the first respondent had examined herself as P.W.1 and marked Ex.P.1 and Ex.P.2. On the side of the petitioner, no one was examined and no document was marked. On perusal of oral and documentary evidence, the trial Court found that the respondents are



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entitled to get maintenance from the petitioner and ordered maintenance of Rs.5,000/- each payable by the petitioner herein. The petitioner is working as Data Entry Operator and get Rs.80,000/- as monthly salary. Therefore, the order of maintenance is justifiable, that too 11 years back. Now, the respondents filed a petition for enhancement of maintenance and it is pending before the trial Court. Therefore, this Court finds no illegality or infirmity in the order passed by the Court below. Accordingly, this criminal revision case is dismissed. Consequently, connected miscellaneous petitions are closed.

29.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
gns

To

1.Family Court
Tiruchirappalli

3/4



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G.K.ILANTHIRAIYAN,J.

gns

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