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Crl.R.C.No.962 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 03.04.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

**Crl.R.C.No.962 of 2023  
And  
Crl.M.P.No.7813 of 2023**

T.Anand

... Petitioner

Vs.

1.M.Jaya Vinodhini Marry  
2.A.Aaron Michael (Minor)

... Respondents

**Prayer:**

Criminal Revision Case filed under Section 397 and 401 of Criminal Procedure Code, seeking to set aside the order passed by the Hon'ble III Additional Principal Judge, Family Court, Chennai in M.C.No.595 of 2019 dated 14.11.2022.

For Petitioner : Mr.M.A.Gowthaman  
for M/s.R.Krishna Kumar  
For Respondents : Mr.P.D.Selvaraj

**O R D E R**

The criminal revision case has been filed seeking to set aside the order dated 14.11.2022 passed in M.C.No.595 of 2019 by the learned III Additional Principal Judge, Family Court, Chennai.



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2.The case of the petitioner is that the petitioner is the husband and the first respondent is the wife and the second respondent is their son. Thereafter there was a matrimonial dispute between them and the petitioner filed petition for divorce in H.M.O.P.No.3708 of 2019 before the III Additional Principal Family Court, Chennai and the first respondent filed petition for restitution of conjugal rights in O.P.No.387 of 2021 on the file of the very same Court. The respondents filed maintenance case under Section 125 of Cr.P.C. in M.C.No.595 of 2019 before the III Additional Principal Family Court, Chennai claiming a sum of Rs.2 Lakhs as monthly maintenance. After adjudication, the Court below directed the petitioner to pay a sum of Rs.70,000/- (Rs.50,000/- to the first respondent and Rs.20,000/- to the second respondent) as monthly maintenance from the date of filing of the petition. Challenging the same, the present revision has been filed.

3.The learned counsel for the petitioner submitted that the divorce petition filed by the petitioner was dismissed for non prosecution, however, the petitioner has taken effective steps to restore the petition on file and further submitted that till the disposal of the divorce petition and the petition for restitution of conjugal rights, the petitioner is ready to pay a sum of Rs.45,000/-



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(Rs.25,000/- to the first respondent and Rs.20,000/- to the second respondent) as monthly maintenance to the respondents since he is a budding Advocate and is depending upon his Father.

4.The learned counsel appearing for the respondents raised no serious objection.

5.In view of the above, this Court directs the petitioner to deposit the entire arrears amount at the rate of Rs.45,000/- per month to the credit of M.C.No.595 of 2019 on the file of the learned III Additional Principal Family Court, Chennai, less the amount if any, already deposited, within a period of eight weeks from the date of receipt of a copy of this order. The petitioner shall continue to pay a sum of Rs.45,000/- to the respondents towards monthly maintenance on or before 7<sup>th</sup> of every succeeding English Calender Month.

6.This revision is disposed of with the above direction. Consequently, the connected miscellaneous petition is closed.

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Index: Yes/ No  
Speaking Order: Yes/ No NCC: Yes/ No

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**M.DHANDAPANI,J.**  
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To

1.The III Additional Principal Family Court,  
Chennai.

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**And**  
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