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CrI.RC.No.1673 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.04.2024

CORAM:

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

CrI.RC.No.1673 of 2023

and

CrI.MP.No.15790 of 2023

P.John Dinesh Kishore

...Petitioner

Vs.

Radha @ Sharon Rose

...Respondent

Petition filed under Section 397 r/w 401 of Code of Criminal Procedure as against the order dated 28.02.2023 in MC.No.82 of 2018 on the file of the VI Additional Principal Judge, Family Court, Chennai.

For Petitioner : Mr.S.Kalyana Raman
for Mr.R.S.Mangala Kumar

For Respondent : Mr.R.Ganesh Kumar

ORDER

This Criminal revision petition has been filed to set aside the order of the VI Additional Principal Judge, Family Court, Chennai dated 28.02.2023 made in MC.No.82 of 2018. The learned Judge has ordered maintenance of Rs.22,000/- per month to the wife, the respondent herein.



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2. The case of the petitioner is that, the marriage between the petitioner/husband and the respondent/wife was solemnized on 08.07.2017.

However, due to some difference of opinion, they got separated in the month of December 2017. Thereafter, the respondent/wife filed a maintenance case under Section 125 of Cr.P.C. in MC.No.82 of 2018 on the file of the VI Additional Principal Judge, Family Court, Chennai, claiming maintenance amount of Rs.75,000/- per month. After adjudication, the trial Court awarded a sum of Rs.22,000/- per month to the respondent/wife. Aggrieved with the said order, the petitioner has filed the present revision.

3. Learned counsel for the petitioner submitted that the maintenance of Rs.22,000/- awarded by the trial court in favour of the respondent is highly excessive and the same was ordered by the trial court without taking into consideration the financial capacity of the petitioner. However, he fairly submitted that, this Court may fix a sum of Rs.20,000/- as monthly maintenance and he is ready to pay the said amount to the respondent on or before the 5th day of every English Calendar month. Accordingly, he prayed for appropriate orders.



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4. Learned counsel appearing for the respondent has no serious objection for the said order being passed.

5. In view of the consent expressed by the learned counsel for the parties, this Court modifies the maintenance amount as follows :-

(i) the petitioner is directed to pay a maintenance amount of Rs.20,000/- per month to the respondent on or before the 5th day of every English Calendar month;

(ii) the petitioner is directed to pay the arrears of maintenance amount, if any, to the respondent within a period of six weeks from the date of receipt of a copy of this order.

6. With the above terms, the Criminal Revision Case stands disposed of. Consequently, the connected criminal miscellaneous petition is closed.

03.04.2024

skt

Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No

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M.DHANDAPANI, J.

skt

To

1. The VI Additional Principal Judge,
Family Court, Chennai.
2. The Public Prosecutor
High Court, Madras.

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