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Crl.RC.Nos.1798 of 2023 & 658 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.04.2024

CORAM:

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

Crl.RC.Nos.1798 of 2023 & 658 of 2024

and

Crl.MP.No.6174 of 2024

Crl.RC.No.1798 of 2023:

1. Pooja Sadashiva Hegde
 2. Minor Aadya Gadad
Rep. By her mother and Natural Guardian
Pooja Sadashiva Hegde
- ...Petitioners

Vs.

Sanjeev Gadad

...Respondent

Crl.RC.No.658 of 2024:

Sanjeev Gadad

...Petitioner

Vs.

1. Pooja Sadashiva Hedge
 2. Minor Aadya Gadad
Rep. By her mother and Natural Guardian
Pooja Sadashiva Hedge
- ...Respondents



Crl.RC.Nos.1798 of 2023 & 658 of 2024

Prayer in Crl.RC.No.1798 of 2023: Petition filed under Section 397 r/w 401 of Code of Criminal Procedure to call for the records and enhance the maintenance awarded in a fair and decreetal order passed in MP.No.1125 of 2022 in MC.No.268 of 2022 dated 23.03.2023 pending on the file of the Learned IV Additional Family Court, Chennai.

Prayer in Crl.RC.No.658 of 2024: Petition filed under Section 397 r/w 401 of Code of Criminal Procedure to set aside the impugned order dated 23.03.2023 passed in C.R.M.P.No.1125 of 2022 in MC.No.268 of 2022 on the file of the IV Additional Family Court, Chennai.

In both Crl.RC's.:

For Petitioners : Ms.B.Poongkhulali
(in Crl.RC.No.1798 of 2023)
: Mr.D.Selvam
(in Crl.RC.No.658 of 2024)

For Respondents : Mr.D.Selvam
(in Crl.RC.No.1798 of 2023)
: Ms.B.Poongkhulali
for Mr.A.Yogeswaran
(in Crl.RC.No.658 of 2024)

COMMON ORDER

Since the issue involved in both the cases are interconnected, they are disposed of by way of this common order.

2. These Criminal revision petitions have been filed as against the order dated 23.03.2023 made in M.P.No.1125 of 2022 in MC.No.268 of



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2022 on the file of the IV Additional Family Court, Chennai. The learned Judge has ordered interim maintenance of Rs.15,000/- per month to the wife and Rs.10,000/- per month to the daughter.

3. For brevity, the petitioner in Crl.RC.No.658 of 2024 is hereinafter referred to as the husband and the petitioners in Crl.RC.No.1798 of 2023 are hereinafter referred to as the wife and the daughter respectively.

4. The facts leading to filing of these cases are:

The marriage between the husband and wife herein was solemnized on 22.12.2016 and out of their wedlock, they were blessed with the daughter herein on 21.08.2018. Whiles, due to some misunderstanding, they are living separately. Thereafter, the wife along with her daughter filed a maintenance case under Section 125 of Cr.P.C. in MC.No.268 of 2022 on the file of the IV Additional Family Court, Chennai, claiming maintenance amount of Rs.30,000/- p.m. in favour of the wife and Rs.50,000/- p.m. in favour of the daughter. During the pendency of the said maintenance case, the wife and daughters filed CRMP.No.1125 of 2022, seeking interim



maintenance of Rs.30,000/- per month in favour of the wife and Rs.50,000/- per month in favour of the daughter. After adjudication, the trial Court awarded an interim maintenance of Rs.15,000/- per month to the wife and Rs.10,000/- per month to the daughter. Aggrieved with the said order, the both the husband and the wife have filed these revisions.

5. Though very many grounds have been raised, the learned counsel for the wife and daughter submitted that, this Court, without going into the merits of the case, may confirm the interim maintenance awarded by the trial court and issue a direction to the Trial Court to conclude the main M.C. itself within a time frame that may be fixed by this Court and permit the parties to produce documents to substantiate their claim.

6. Learned counsel appearing for the husband has no serious objection for the limited request sought for by the learned counsel for the wife and the daughter.

7. Heard the learned counsel appearing on either side and perused the materials available on record.



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8. In view of the consent expressed by the learned counsel on either side, this Court is not inclined to interfere with the order passed by the Trial Court and accordingly, confirms the order of interim maintenance dated 23.03.2023 passed in M.P.No.1125 of 2022 in MC.No.268 of 2022 and further issues a direction to the trial court to dispose of the maintenance case in M.C.No.268 of 2022 within a period of three months from the date of receipt of a copy of this order.

9. With the above terms, these Criminal Revision Cases are disposed of. Consequently, the connected Miscellaneous petition is closed.

03.04.2024

skt

Index : Yes/No

Speaking order : Yes/No

NCC : Yes/No

To

1. The IV Additional Family Court,
Chennai.

2. The Public Prosecutor, High Court, Madras.

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M.DHANDAPANI, J.

skt

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