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Crl.RC No.1852 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2024

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.R.C.No.1852 of 2024  
and Crl.M.P.No.15216 of 2024

Adhnan Modi

... Petitioner

Vs.

1.L.Farhana

2.Shahid Afridi (minor child)

... Respondents

PRAYER: Criminal Revision Case filed under Sections 438 r/w 442 of the BNSS, to set aside the impugned order dated 20.04.2024 passed in Crl.M.P.No.98 of 2024 in M.C.No.296 of 2022 pending on the file of the III Additional Family Court at Chennai by allowing the present Criminal Revision Petition.

For Petitioner : Mr.Antony Jesuraja

For Respondents : Ms.S.Viji

### ORDER

The husband has filed this Criminal Revision Case challenging the order dated 20.04.2024 passed by the III Additional Principal Judge, Chennai in Crl.M.P.No.98 of 2024 in M.C.No.296 of 2022, directing him to pay interim maintenance of Rs.15,000/- each to the respondents



herein pending disposal of the Maintenance Case.

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2. The learned counsel for the petitioner would submit that he met with an accident six months ago and had spent huge amount towards treatment of the injury sustained in the accident; that he has to support his aged parents; and hence, the order directing him to pay maintenance has to be set aside.

3. Ms.S.Viji, learned counsel who takes notice for the respondents *per contra* submitted that the 1<sup>st</sup> respondent is a homemaker at present, though she is a graduate and she is dependent on the maintenance ordered by the trial Court.

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

5. This Court finds no infirmity in the order of the trial Court granting interim maintenance at Rs.30,000/- to the respondents pending disposal of the Maintenance Case. Admittedly, the petitioner is drawing a sum of Rs.82,000/- per month. However, the learned counsel for the



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petitioner would seek indulgence of this Court to reduce some amount towards arrears payable to the respondents.

6. In view of the submission of the petitioner that he incurred expenses for his treatment of injuries sustained during the accident, this Court is of the view that the petitioner can be directed to pay a sum of Rs.75,000/- towards arrears, which could be paid in monthly instalments starting from the month of December 2024 for a period of five months. It is also reported that the petitioner has been paying Rs.30,000/- per month since August 2024. The petitioner shall continue to pay Rs.30,000/- to the respondents on or before 5<sup>th</sup> day of every English calendar month, until the disposal of M.C.No.296 of 2022 by the III Additional Family Court, Chennai.

7. The Criminal Revision Case is disposed of accordingly. Consequently, the connected Criminal Miscellaneous Petition is Closed.

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Index: Yes/No  
Speaking/Non-speaking order  
Neutral citation: Yes/No.



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To

The III Additional Family Court,  
Chennai



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SUNDER MOHAN, J.

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