



Crl.O.P.(MD)No.10569 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 16.07.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.10569 of 2024 and
Crl.MP(MD) No.7088 of 2024

M.Senthilvel

... Petitioner

Vs

1.Gowri

2.Minor Hem Saravanavel

...Respondents

(Rep by his Mother and Natural Guardian Gowri/the first respondent)

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and proceedings relating to the order of maintenance dt. 01.04.2024 passed by the learned Additional District Judge, Virudhunagar in Crl R.C No. 6 of 2023 by confirming the order dt. 03.03.2023 passed by the learned Judicial Magistrate, Aruppukottai in M.c.No.8 of 2018 and set aside the same.

For Petitioner

: Mr.B.Muneeswaran

ORDER

The petitioner has approached this Court challenging the order passed by the learned Additional District Judge, Virudhunagar, in Crl R.C No. 6 of 2023, confirming the order of the learned Judicial Magistrate, Aruppukottai in M.C.No.8 of 2018, dated 03.03.2023.



Crl.O.P.(MD)No.10569 of 2024

2.The learned counsel appearing for the petitioner submits that the respondents are the petitioner's wife and his minor child. Based on the application filed by the respondents, the learned Judicial Magistrate, Aruppukottai has passed an order in M.C.No.8 of 2018 on 03.03.2023, granting Rs.20,000/- towards maintenance to the respondents herein. According to the learned counsel, the learned Magistrate, without considering the financial capacity of the petitioner, has granted such a huge amount. Challenging the same, the petitioner has filed Crl.RC No.6 of 2023 before the Additional District Court, Virudhunagar and the same was dismissed. Therefore, the petitioner is before this Court.

3.This Court considered the submission made by the learned counsel for the petitioner and perused the orders passed by the Courts below.

4.Perusal of the orders reveals that the petitioner herein is having sufficient income to maintain his wife and child, as he is working as a Civil Engineer and was earning Rs.50,000/- per month even 10 years ago. The petitioner, as a husband is bound to maintain his wife and child.



Crl.O.P.(MD)No.10569 of 2024

This Court finds no infirmity in the orders passed by the Courts below.

WEB COPY

5.In view of the above, this Court is not inclined to entertain this Criminal Original Petition. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

16.07.2024

NCC : Yes/No

Index : Yes/No

Internet:Yes

vrn



WEB COPY



Crl.O.P.(MD)No.10569 of 2024

B.PUGALENDHI,J

vrn

Order made in
Crl.OP(MD)No.10569 of 2024 and
Crl.MP(MD) No.7088 of 2024

16.07.2024