



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.10.2025

Coram:

The Honourable Mrs.Justice T.V.THAMILSELVI

CrI.R.C.No.206 of 2025

1.Mrs.Radhika

2.Minor.Mahesh

...Petitioners

Versus

Mr.Anand

...Respondent

This Criminal Revision Case is filed under Sections 438 & 442 of BNSS, 2023 and Sections 397 & 401 of Cr.P.C praying to set aside the partly allowing of the maintenance application in M.C.No.1/2018 dated 11.11.2024 passed by the Judicial Magistrate Court at Poonamallee by ordering to provide maintenance to the 1st petitioner and enhance the maintenance amount to the 2nd petitioner and thereby, allow the Criminal Revision Petition.

For Petitioners	:	Mr.R.Suryaprakash
For Respondent	:	Mrs.Rita Chandrasekar for M/s.Aiyer and Dolia



ORDER

WEB COPY

This Criminal Revision Case has been filed by the petitioners seeking to set aside the Order dated 11.11.2024 in M.C.No.1 of 2018 passed by the learned Judicial Magistrate No.II, Poonamallee and to enhance the maintenance amount awarded to 2nd petitioner (son of respondent/husband and 1st petitioner/wife).

2. As far as this case is concerned, respondent and 1st petitioner are husband and wife. The 1st petitioner/wife and 2nd petitioner (minor son of 1st petitioner) have filed a petition in M.C.No.1 of 2018 under Section 125 of Cr.P.C before the Judicial Magistrate Court No.II, Poonamallee for their maintenance. During the pendency of said M.C.No.1 of 2018, petitioners have filed a petition in C.M.P.No.3983 of 2018 in M.C.No.1 of 2018 seeking to direct the respondent/husband to pay a sum of Rs.10,000/- per month to 1st petitioner/wife and Rs.20,000/- per month to 2nd petitioner (minor son of 1st petitioner) as interim maintenance. The learned Judicial Magistrate No.II, Poonamallee vide Order dated 12.07.2022, directed the respondent/husband to pay a sum of Rs.5,000/- per month to 1st



petitioner/wife and Rs.10,000/- per month to 2nd petitioner (minor son of 1st petitioner) as maintenance, on or before 5th day of every calendar month from the date of filing of that petition and further directed the respondent/husband to pay the arrears of maintenance to 1st petitioner/wife from the period of 04.01.2018 to 07.07.2022, within 3 months from the date of that order. Subsequently, the learned Judicial Magistrate No.II, Poonamallee vide Order dated 11.11.2024, observing that as far as 1st petitioner/wife is concerned, M.C.No.1 of 2018 is dismissed, but, so far as 2nd petitioner (son of respondent/husband and 1st petitioner/wife) is concerned, M.C.No.1 of 2018 is partly allowed with a direction to the respondent/husband to pay a sum of Rs.20,000/- as monthly alimony to 2nd petitioner (son of respondent/husband and 1st petitioner/wife), on or before 5th day of every calendar month from the date of that order. Aggrieved by the said order, 1st petitioner/wife has filed the present Criminal Revision Case.

3. The learned counsel for the petitioners submitted that this Court vide Order dated 21.07.2025, referred this case to Tamil Nadu Mediation



and Conciliation Centre, High Court, Madras and directed the parties to appear before the Mediator on 05.08.2025. Accordingly, the parties have appeared before the Mediator on the said date.

3.1. It is further submitted by the learned counsel for petitioners that the dispute between the parties has been settled before the Mediation Centre and the parties have entered into a Settlement Agreement dated 09.10.2025. As per Clause 6(c) of the said Settlement Agreement, respondent/husband shall pay a sum of Rs.65,00,000/- to 1st petitioner/wife as full and final settlement towards all her monetary claims including present, past and future maintenance, alimony, property rights, residence or any other relief under any law which also includes the welfare of their son (2nd petitioner).

3.2. The learned counsel for the petitioners also submitted that out of the aforesaid amount of Rs.65,00,000/-, respondent/husband has paid a sum of Rs.5,00,000/- to 1st petitioner on 09.10.2025. As per Clause 6(d) of the Settlement Agreement, a sum of Rs.15,00,000/- shall be paid by the respondent/husband on the date of filing of the Consent Petition. Further,



as per Clause 6(f) of the Settlement Agreement, the balance amount of Rs.45,00,000/- shall be paid by the respondent/husband by way of RTGS before the deposition of evidence.

3.3. It is submitted by the learned counsel for the petitioners that as per Clause 6(h) of the Settlement Agreement, both parties shall not interfere in each other's personal life after they obtain the decree of divorce, except, the visitation rights of their son (2nd petitioner).

4. The learned counsel on both sides submitted in unison that both the parties are residing at Chennai. Since both the parties have been separated for more than 16 years, they have decided to file a Mutual Consent Petition for Divorce before the Family Court, Chennai. Therefore, the learned counsel on both sides prayed that on filing of such Mutual Consent Petition by the parties, appropriate direction may be issued to the Family Court, Chennai to refer the said Petition to learned II Additional Family Court Judge, Chennai for speedy disposal.



WEB COPY

4.1. The learned counsel on both sides further prayed that this Criminal Revision Case may be disposed of in terms of the aforesaid Settlement Agreement dated 09.10.2025 entered into between the parties.

5. The Settlement Agreement dated 09.10.2025 entered into between the parties herein reads as follows:

“SETTLEMENT AGREEMENT

This SETTLEMENT AGREEMENT entered into this the 9th day of October, 2025 between Mrs.Radhika, W/o. V.Anand, Mr.Mahesh, S/o. Mr.Anand, both are residing at No.13, Othandeeswara Nagar, Kavaicheri Road, Thirumazhisai, Chennai 600 124 AND Mr.Anand S/o. Late V.Vadivelu, Power Grid Corporation of India Limited, Doddaballapur Main Road, Singanayakkanahalli, Near RTO Driving Test Track, Yelahanka, Bangalore 5600064.

WHEREAS:

- 1. Disputes and differences had arisen between the Parties hereto and Crl.R.C.No.206/2025 was filed on 07.01.2025 before the Hon'ble High Court of Madras.*
- 2. The matter was referred to mediation vide an order dated 21.07.2025 passed by Hon'ble Mr.Justice G.K.Ilanthiraiyan.*
- 3. The parties agreed that Mrs.R.Sarala Devi would act as their*



Mediator.

4. *Several meetings were held during the process of Mediation / Conciliation from 05.08.2025 to 09.10.2025 and the parties have with the assistance of the Mediator voluntarily arrived at an amicable solution resolving the above mentioned disputes and differences.*
5. *The parties hereto confirm and declare that they have voluntarily and of their own free will arrived at this Settlement Agreement in the presence of the Mediator.*
6. *The following settlement has been arrived at between the parties hereto:*
 - a. *Both the parties mutually agree that due to the irretrievable breakdown of their marriage solemnized on 03.09.2004 shall be dissolved by mutual consent petition under Section 13(B) of Hindu Marriage Act, 1955.*
 - b. *Both parties shall jointly move the consent petition before the competent court and obtain a decree of divorce dissolving their marriage as per the terms of this memorandum of settlement.*
 - c. *The Respondent will pay a sum of Rs.65,00,000/- to the Revision Petitioner towards full and final settlement towards all her monetary claims including present, past and future maintenance, alimony, property rights, residence or any other relief under any law and which also includes the welfare of the Son, Mahesh.*
 - d. *The amount of Rs.5,00,000/- has been paid through RTGS, Reference No.ICICR12025100906973734 during the mediation on 09.10.2025 and the same has been acknowledged by the Revision Petitioner. Another Rs.15,00,000/- will be paid on the date of filing the Consent*



WEB COPY



Petition wherever the Jurisdiction arises and the Revision Petitioner shall have full custody and guardianship of the son Mahesh.

e. The Respondent is committed to visit and interact with the child on the 4th Sunday of every month for a period of one hour subject to the child's willingness and health conditions. If not the same will continue in the following week and there will not be any force from the Respondent to interact with the child if there is no willingness.

f. The balance amount of Rs.45,00,000/- shall be paid by way of RTGS before the deposition of evidence and Reference No. will be informed to the Petitioner and unless and until the amount is not paid, the Consent Petition will not be honoured.

g. Both parties agree that there shall be no further claims against each other now or in the future so also the child will not claim any kind of demand from the Respondent (Father) under any law or statute. This agreement constitutes full and final settlement between the parties and shall operate as a complete discharges of all claims as they have agreed to dissolve the marriage by filing Section 13(B) Petition under the Hindu Marriage Act, 1955.

h. Both parties will not interfere in each other's personal life after they obtain the decree of divorce except the visitation rights of the Son, Mahesh.

i. Both parties agree not to initiate any civil or criminal proceedings under any other law against each other in the future.

j. Both parties understand and agree that the above terms are final and binding, enforceable upon signing and subsequent recording of evidence before the Competent Court by way of Mutual Consent Petition.



7. *By signing this Agreement the parties hereto state that they have no further claims or demands against each other with respect to the Crl.R.C.No.206/2025 and all disputes and differences in this regard have been amicably settled by the parties hereto through the process of Mediation. Both the parties agree that there will not be any kind of claims in any form between both of them or even through Mahesh.”*

6. The Settlement Agreement entered into between the parties is recorded and the same shall form part of the order.

7. Considering the above submissions made by the learned counsel on either side, this Criminal Revision Case is disposed of in terms of the Settlement Agreement dated 09.10.2025 entered into between the parties.

8. Taking note of the fact that 1st petitioner/wife and respondent/husband have been separated for more than 16 years and they decided to file a Mutual Consent Petition for Divorce before the Family Court, Chennai, this Court is inclined to issue the following directions:



WEB COPY

(i) The parties are at liberty to file a Mutual Consent Petition for Divorce before the Family Court, Chennai.

(ii) On filing of such Mutual Consent Petition by the parties, the Family Court, Chennai shall refer the said Petition to learned II Additional Family Court Judge, Chennai, within a period of two weeks from the date of filing of such Petition.

(iii) On receipt of such Mutual Consent Petition, the learned II Additional Family Court Judge, Chennai shall consider and dispose of the same on merits and in accordance with law, within a period of six weeks thereafter.

16.10.2025

mrr

Index: Yes/No

Speaking Order (or) Non-Speaking Order

To

1.The Judicial Magistrate Court,
Poonamallee.

2.The Public Prosecutor,
High Court, Madras.



WEB COPY



T.V.THAMILSELVI, J.

mrr

Crl.R.C.No.206 of 2025

16.10.2025