



WEB COPY

CRL RC No. 1787 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 1787 of 2025

1. Devi @ Mahadevi
W/o. Mr. Baskar,

2. Minor Manisha
D/o. Mr. Baskar

3. Minor.Sakesh Kumar
S/o.Mr. Baskar, 2nd and 3rd petitioners
are minor and Rep by her mother and
natural guardian, mrs. Devi @
Mahadevi, the 1st petitioner herein All
are residing at Melayampettai Village,
Kalambur Post, Polur taluk,
Thiruvannamalai District.

Petitioner(s)

Vs

1. BASKAR
S/O. Gunasekaran, Bajanaikovil Street,
Krishnavaram Village, Polur Taluk,
Thiruvannamalai District

Respondent(s)

CRL RC No. 1787 of 2025

PRAYER

To set aside the order partly allowing of the maintenance application in MC.No.2/2019 dated 13.03.2024 passed by the Learned Judicial magistrate Court at Polur and thereby allow the Criminal Revision petition to enhance the maintenance amount to the petitioners.

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For Petitioner(s): R. Suryaprakash



S. Balasubramanian
D. Maragathavalli
D. Velmurugan
D. Rameshkumar

For Respondent(s): Court Notice Service Awaited
For Sole Respondent
Private Notice Permitted - Proof
Not Filed
M/s.S.Manisha
S.Mohan
V.Ganapathi
M.Thiyagarajan
Mediation Report Received File
No.1558/25 Dt.19.11.25

ORDER

This petition is filed to call for the records relating to set aside the order partly allowing of the maintenance application in MC.No.2/2019 dated 13.03.2024 passed by the Learned Judicial Magistrate Court at Polur and thereby allow the Criminal Revision petition to enhance the maintenance amount to the petitioners.

2. The facts of the case is that the first petitioner married the respondent on 14.09.2005 as per Hindu rites and customs. Out of the said wedlock two children was born to them who are second and third petitioners . It is alleged that the respondent behaved more violently with the first petitioner /wife and ill-treated her. Due to which she was thrown out from the matrimonial home. Thereafter, the first petitioner filed HMOP No. 38 of 2011 and when the same is



pending the first petitioner filed I.A.No.8 of 017 in HMOP No.38 of 2011, wherein the learned has ordered a interim maintenance of Rs.5,000/- each to the first petitioner/wife and the children. However, the respondent has not complied with the same, due to which the HMOP was dismissed. Thereafter, the petitioner filed MC.No.2/2019 on the file of the Learned Judicial Magistrate Court at Polur wherein a sum of Rs.11,000/- per month was ordered as monthly maintenance. Challenging the same the petitioners have come up with this petition.

3. The learned counsel for the petitioner submits that there was default in payment of arrears of maintenance amount. He further submitted that the petitioner is not taking care of the children and also failed to appear before the Court below. Hence prays to enhance the maintenance amount.

4. The learned counsel for the respondent submits that the learned Judge without properly taking note of the income of the petitioner has passed the impugned order. He further submitted that the respondent is ready and willing to live with the first petitioner and the first petitioner/wife deliberately wanted to harass the respondent, due to which she is filing the cases against the respondent. Hence, prays to allow this petition.

5. Heard both sides and perused the materials available on record.



6. On a perusal of the impugned it is seen that the Court below has ordered a maintenance of Rs.11,000/- to the respondents. It is also seen that the respondent is a ex-service man and receiving pension and also he is having retirement benefits. Hence, this Court is inclined to enhance the maintenance amount at Rs.20,000/- per month. The first petitioner/wife is entitled for a sum of Rs.8,000/- and the children are entitled for a sum of Rs.6,000/- each. It is made clear that the maintenance amount should be paid on or before 10th of every english calender month.

7. It is made clear, that if the respondent fails to pay the maintenance amount, the pension account of the respondent will be attached and a sum of Rs.20,000/- will be auto debited from his account and credited to the MC.No.2 of 2019 on the file of the Learned Judicial Magistrate Court at Polur.

8. With the above directions this Criminal Revision case is disposed of.

20-11-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

smn

To.

1. The Learned Judicial magistrate Court at Polur



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T.V.THAMILSELVI J.

smn

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