



Crl.R.C.No.241 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.R.C.No.241 of 2015
and M.P.No.1 of 2015

Perumal

... Petitioner

Vs.

Prema

... Respondent

PRAYER: Criminal Original Petition is filed under Sections 397 and 401 of Cr.P.C. to call for records of learned Judicial Magistrate No.I, Poonamallee, Thiruvallur District and set aside the order passed by him in M.C.No.6 of 2012 dated 24.12.2014.

For Petitioner	:	Mr.K.Madhan
For Respondent	:	Ms.V.Vijayalakshmi Legal Aid Counsel

ORDER

Read this in conjunction with and in continuation of earlier proceedings made in the previous listing on 24.09.2025, which reads as follows:



This Court, on 03.09.2025, had passed the following order:

“The petitioner, estranged husband of the respondent had faced prosecution in M.C.No.6 of 2012 and suffered an order of maintenance dated 24.12.2014, wherein the petitioner was directed to pay a sum of Rs.8,000/- per month as maintenance from the date of filing of the petition. Aggrieved against the same, the petitioner filed the above revision in Crl.R.C.No.241 of 2015 along with stay petition in M.P.No.1 of 2015, wherein, this Court, by the order dated 23.03.2015 directed the petitioner to pay a sum of Rs.5,000/- as monthly maintenance.

2.The brief facts of the case is that the petitioner married the respondent in the year 1992 and after the marriage, the petitioner and the respondent were living in a joint family with the respondent's parents. On 15.05.1993, they were blessed with a son named Dinesh Babu and now the son has completed his B.E. Degree. The petitioner projected himself that he is owning a shop, having sufficient income. Believing the same, the marriage was accepted, later it came to know that the petitioner was not having any shop and not employed anywhere. In the year 1995, the petitioner joined Tamil Nadu Electricity Board on contract basis and in the year 2004, he was observed permanent as an Assessor. In the year 2005, a girl baby was born and later died. Thereafter, there was no cordial relationship between the petitioner and the respondent and the petitioner was suspecting the respondent and they had a very stormy relationship. In the year 2010, the respondent had undergone uterus removal surgery. The petitioner paid for the surgery and later demanded medical expense of Rs.1,50,000/- to be paid by the respondent's parents. The petitioner admits that he had built a house on the



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vacant plot of the respondent's parents and the jewels of the respondent has been used by the petitioner. Later, the respondent was forced out of the house, forcing the respondent's parents to settle the property in favour of the petitioner. The respondent was forced to stay with her parents and the petitioner and his son alone were staying in the house. The petitioner failed to pay any amount for maintenance. Hence, a maintenance petition seeking Rs.10,000/- as monthly maintenance was filed. Before the Lower Court the respondent examined herself as PW1 and marked 6 documents. The petitioner examined himself as RW1 and his son as RW2 and marked 5 documents.

3.The learned counsel for the petitioner submitted that the admitted case of the respondent is that divorce has been obtained in H.M.O.P.No.163 of 2015 on 29.01.2025 by the Subordinate Court, Poonamallee. He further submitted that the petitioner is presently without any employment and not attending the office. The petitioner transferred from Chennai to Cuddalore, he has undergone spinal cord surgery and unable to travel and is on loss of pay and he has no source to pay the maintenance amount. Further he had purchased two properties and settled the same in the name of his son.

4.The learned counsel for the respondent submitted that even the modified maintenance amount is not being paid. The petitioner is due to the tune of Rs.2,96,000/- from the year 2012 to 2014 and to the tune of Rs.6,20,000/- from the year 2015 to 2024. In total, the petitioner is due to the tune of Rs.9,16,000/-. The petitioner has got vast properties and income and not paid monthly maintenance to the respondent, the petitioner is not attending the work, it is his own making, on the other hand, his son is employed, married and he is also supporting the petitioner. The



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petitioner with his wealth is living a happy life but neglecting the respondent.

5.This Court is not convinced with the explanation given by the learned counsel for petitioner. At this juncture, the learned counsel for petitioner seeks time.

6.Post the case on 10.09.2025 under the caption 'For Orders'."

2.In continuation and conjunction to the earlier order passed by this Court on 03.09.2025, today the learned counsel for the petitioner had produced memo of calculation, which reads as follows:

S.No.	Year	Amount paid for the months	Amount defaulted for the months	Total amount paid in the entire year	Total amount defaulted for the entire year
1.	4.4.2012	0	9	0	45,000
2.	2013	0	12	0	60,000
3.	2014	0	12	0	60,000
4.	2015	7	5	35,000	25,000
5.	2016	2	10	10,000	50,000
6.	2017	12	0	60,000	0
7.	2018	8	4	40,000	20,000
8.	2019	3	9	15,000	45,000
9.	2020	5	7	25,000	35,000
10.	2021	7	5	35,000	25,000
11.	2022	1	11	5,000	55,000
12.	2023	2	10	10,000	50,000
13.	2024	4	8	20,000	40,000
14.	2025	0	9	0	45,000
	TOTAL	51	111	Rs.2,55,000/-	Rs.5,55,000/-

Total amount paid = Rs.2,55,000/-.



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Total amount to be paid = Rs.5,55,000/-.

Note:

1. Interim stay deposit = Rs.15,000/-.
2. Restoration Cost = Rs.7,500/-.

3.The learned counsel for the petitioner submits that the petitioner has to pay a sum of Rs.5,55,000/- and seeks three weeks time to deposit the said amount.

4.The learned counsel appearing for the respondent is also present.

5.In view of the same, the petitioner is directed to pay a sum of Rs.5,55,000/- in M.C.No.6 of 2012 on the file of learned Judicial Magistrate No.I, Poonamallee, Thiruvallur District, on or before 24.10.2025.

6.Post the matter on 27.10.2025 under the caption “for reporting compliance”.



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2.Pursuant to the order passed by this Court on 24.09.2025, the petitioner filed a report of compliance along with the receipt confirming the payment of Rs.5,55,000/- before the learned Judicial Magistrate No.I, Poonamallee. The scanned reproduction of the memo of compliance and the receipt is as follows:



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

[Criminal Jurisdiction]

Crl.R.C.NO. 241 OF 2015

(On the file of this Hon'ble Court)

AGAINST

M.C.NO. 6 OF 2012

(On the file of Learned Judicial Magistrate No.I, Poonamallee, Thiruvallur District)

Mr. PERUMAL, M/A.56 Yrs,
S/o. Thandavarayan,
No.9-15, 8th street, R.E. Nagar,
Porur, Chennai - 600 116.

... Petitioner/Respondent.

-Vs-

Mrs. PREMA, F/A.56 Yrs,
W/o. Perumal,
No.9-15, 8th street, R.E. Nagar,
Porur, Chennai - 600 116.

... Respondent/Petitioner.

**MEMO OF REPORTING COMPLIANCE FILED BY THE COUNSEL FOR
THE REVISION PETITIONER**

The Petitioner humbly submits that as follows:

The petitioner has filed the above revision petition challenging the order passed in M.C.NO.6/2012 dated on 24.12.2014, wherein he was directed to pay a sum of Rs.8,000/-per month as maintenance in favour of the respondent from the date of filing of this petition.

During the hearing of the above revision petition, the petitioner filed memo of calculation stating that the payments were made by him at the rate of Rs.5,000/- per month from the date of 04.04.2012 till September 2025 in favour of the respondent. Admittedly, there were default in paying the said amount and same has been mentioned and the



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payable amount in favour of the respondent has also been mentioned in the said memo of calculation filed in the mode of tabular column.

This Hon'ble court has observed the submissions made by either side and extracted the tabular column in the order and the petitioner was directed to pay the default amount payable to the respondent at the rate of Rs.5,000/- per month, which is around a sum of Rs. 5,55,000/- in M.C.NO.6 OF 2012 on the file of learned Judicial Magistrate No.I, Poonamallee, Thiruvallur District, on or before 24.10.2025. The above matter has been posted on 27.10.2025 under the caption for reporting compliance.

The petitioner has mobilized the above fund and was able to deposit the same through online in the credit of the case in M.C.NO.6/2012 on the file of learned Judicial Magistrate No.I, Poonamallee, Thiruvallur District on 24.10.2025 and the receipt in this regard has also been generated vide challan no.20251024013168. Thereby, on 24.10.2025 the petitioner has complied with the direction passed by this Hon'ble court properly without fail.

Hence, it is therefore prayed that this Hon'ble court may be pleased to record this memo of reporting compliance of the direction passed by this Hon'ble court on 24.09.2025 in CRL.RC.NO.241/2015 and pass suitable orders to dispose of the above criminal revision and thus render justice.

Dated at Chennai on this the 21th day of October, 2025.

[Signature]
16/10/2014
COUNSEL FOR THE PETITIONER *[Signature]*



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Government of Tamil Nadu

References

和 $\Delta G_{\text{总}} = \Delta G_{\text{有}} + \Delta G_{\text{无}} = 0$ 时, 系统达到平衡, 此时 $\Delta G_{\text{有}} = -\Delta G_{\text{无}}$ 。

Flammula ciliata

Challan Number	20251024013168	Challan Date	24 Oct 2025	Payment Date	
Remitter Type	DDO	Remitter Code	18020026	Remitter Name	BM No 1 POONAMALLEE
Mobile No.	9180242944	Aadhaar No.		Remitter Address	POONAMALLEE
Department	06601 PUBLIC ACCOUNTS	District	THIRUVALLUR	DDO Code	18020026
DDO Office Name	BM NO 1 POONAMALLEE	Department Transaction ID		Office Name	

Service Type	Acct Code	PD Number	Amount	Reference No.	Remark
PD Number	64400108AA502 02	PD024016908 11	556000	MC NCP of 2012 Responsible Person	Honble High Court CRL RC 241 of 2012

Payment Mode	Offline	Payment Type	Cash	Payment Status	Pending
Credit Amount (Rs.)	5,55,000	Bank Name	Indian Bank - V COLLECT		
Amount (in words)	Five Lakh Fifty Five Thousand Rupees only			Bank ref no.	IFHRMS20251024013168

 Family Signature

For 32K Use

Blank Lunch Stamp and Signature of Cashier

INDIAN BANK
POONAMALLEE BRANCH
24 OCT 2025
CASH RECEIVED

Manager Accountant[illegible]



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3. On perusal of the impugned order, it is seen that the respondent/wife filed a maintenance petition, examined herself as P.W.1 and marked Ex.P1 to Ex.P6. Ex.P1 is the marriage invitation, Ex.P2 is the Bank passbook of the respondent/wife, Ex.P3 is the Family card, Ex.P4 is the property document in Vengikal village purchased by the petitioner on 25.06.2008, Ex.P5 is the property document in Ravalpindi village purchased by the petitioner and Ex.P6 is the marriage photograph of the petitioner and the respondent. The petitioner/husband examined himself as D.W.1, their son as D.W.2 and marked Ex.D1 to Ex.D5. Ex.D1 is the monthly EMI payment book, Ex.D2 is the monthly payment of chit, Ex.D3 is the HDFC bank receipt showing that the petitioner/husband borrowed loan, Ex.D4 is the salary certificate of the petitioner/husband and Ex.D5 is the settlement made to his son.

4. Though the respondent/wife claimed Rs.10,000/- per month as maintenance, considering the evidence and materials the Trial Court ordered the petitioner/husband to pay maintenance of Rs.8,000/- per month from the



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date of petition i.e., 23.04.2012. Aggrieved against the same, the present petition filed.

5.This Court at the time of admission on 23.03.2015 directed the husband to pay Rs.5,000/- per month and so far, the petitioner paid a sum Rs.5,55,000/- as stated above, which is not in dispute.

6.Now the respondent/wife appeared and filed her memo. A scanned reproduction of the memo is as follows:



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**IN THE HIGH COURT OF JUDICATURE AT
MADRAS**

(Criminal Jurisdiction)

IN

Crl. R.C. No. 241 / 2015

Against

M.C. No. 6 / 2012

(On the file of Learned Judicial Magistrate No. 1, Poonamallee, Tiruvallur District)

Mr. Perumal, M/A 56 Yrs.,

S/o, Thandavarayan,

No. 9 – 15, 8th Street, R.E. Nagar,

Porur, Chennai – 600 116.

... Petitioner / Respondent

Vs

Mrs. Prema, F/A 52 Yrs.,

W/o. Perumal,

No. 9 – 15, 8th Street, R.E. Nagar,

Porur, Chennai – 600 116.

... Respondent / Petitioner

MEMO FILED BY RESPONDENT WIFE Mrs. PREMA

I, Prema, W/o. Perumal, Aged 52 years, Hindu, Female, residing at the above address do hereby sincerely state as follows :

I, I state that at first I have filed M.C. No. 6/2012 before the Judicial Magistrate, No.1, Poonamallee, Tiruvallur District as I am driven out of my Matrimonial house due to the cruelty and desertion of my husband. On 24.12.2014, The Learned Judicial Magistrate ordered the petitioner husband herein to pay Rs.8,000/- (Rupees Eight Thousand Only) per month to this respondent wife. Aggrieved by this order, the petitioner husband herein filed this Criminal Revision case before the High Court in

P. Prema



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Crl. R. C. No.241/2015.

2. I submit that on 23.03.2015 The Hon'ble High Court directed this petitioner husband to pay the arrears of maintenance from the date of petition i.e., 04.04.2012 to 24.12.2024 with Rs.5,000/- (Rupees Five Thousand Only) per month as an interim direction. Now the Criminal R.C. Crl. R. C. No. 241/2015 came for Final hearing on 31.10.2025. At that time The Hon'ble High Court finally directed the petitioner husband herein to pay Rs.6,000/- (Rupees Six Thousand Only) per month hereafter.

3. I state that I want to make my submission as this petitioner husband is a chronic defaulter in paying the arrears of maintenance. The arrears itself had been paid intermittently even after the order of The Hon'ble High Court on 23.03.2015 itself. For all these 13 years, the petitioner husband had paid only Rs.3,20,000/- (Rupees Three Lakhs and Twenty Thousand Only) only. Now, I came to understand that the remaining amount as per the calculation given in my Memo of Calculation, sent in Advocate Notice is deposited in the Judicial Magistrate Court, Poonamallee.

4. I state that this Hon'ble Court may be pleased to direct the petitioner husband herein to deposit the maintenance amount of Rs.6,000/- (Rupees Six Thousand Only) per month on or before 5th of every month without any delay and default.

5. I state that on 31.10.2025 This Hon'ble High Court wrongly observed that the petitioner husband constructed our present house which is not so. The petitioner husband herein sold respondent wife jewels given by her father and not spent any amount from his packet. Like-wise up to the year 2010, the father of this respondent wife only educated our son namely Dinesh as both the petitioner and respondent herein have been living together as a family. After 2010 only this respondent wife had been driven out with her son Dinesh. Later, for the better reason known to the

P. P. Rama



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conscience of this petitioner husband, one day the petitioner husband herein forcibly took their son Dinesh. Since then this respondent wife was not permitted either to visit her matrimonial house or to see their son. This respondent wife even now also keeping quiet when the petitioner husband changed the Electricity connection in their son's name and she did not whisper anything. The Divorce petition subsequently filed by the petitioner husband, there also the respondent wife pleaded for the re-union. This is the submission of this respondent wife herein as she files the Memo accepting the direction of The Hon'ble High Court on 31.10.2025 to pay the petitioner husband Rs.6,000/- (Rupees Six Thousand Only) per month hereafter with great respect.

6. Hence, this respondent wife pleads before This Hon'ble High court to direct the petitioner husband to deposit Rs.6,000/- (Rupees Six Thousand Only) per month without any delay or default on or before 5th of every month. Failing which liberty may be granted to the respondent wife herein to file a Criminal R.C for her maintenance amount in future. This respondent wife further praying this Court to withdraw the amount deposited in the Judicial Magistrate Court, Poonamallee.

7. I, state that I obey the orders of This Hon'ble High Court to accept the amount directed to be paid by the petitioner husband herein and this respondent wife is filing this Memo. This Hon'ble High Court may be pleased to dispose off this Criminal R.C. No. 241/2015 and thus render Justice.

Dated on 5th November 2025.

D. Prema

D. Prema,
Respondent Wife



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7.The respondent/wife agreed to receive Rs.6,000/- per month without any default on or before 5th of every month and her only plea is that she may be permitted to withdraw the amount lying in the credit of M.C.No.6 of 2012 on the file of the learned Judicial Magistrate No.I, Poonamallee, Thiruvallur District.

8.The learned counsel for the petitioner/husband has got no objection for the respondent withdrawing the amount deposited before the Trial Court.

9.In view of the above, the impugned order passed by the learned Judicial Magistrate No.I, Poonamallee, Thiruvallur District in M.C.No.6 of 2012 dated 24.12.2014 is set aside. The petitioner/husband henceforth to pay Rs.6,000/- per month as maintenance to the respondent/wife as agreed by her from the date of this order. The respondent/wife is permitted to withdraw the amount lying in the credit of M.C.No.6 of 2012 by filing an appropriate petition before the Trial Court. Notice to the petitioner/husband is dispensed with.



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10.In the result, the Criminal Revision Petition stands partly allowed.

Consequently, the connected Criminal Miscellaneous Petition is closed.

10.11.2025

Index: Yes/No
Speaking Order/Non-Speaking Order,
Neutral Citation: Yes/No
cse

To

The Judicial Magistrate No.I,
Poonamallee.



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M.NIRMAL KUMAR, J.

cse

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10.11.2025