



Crl.R.C.No.741 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C.No.741 of 2025

and

Crl.M.P.No. 10933 of 2025

B.Thulasidhass

.... Petitioner

Vs

1.Latha

2.Kirthin

Represented by mother Latha

..... Respondents

PRAYER: Criminal Revision Case is filed under Sections 397 r/w 401(2) of Code of Criminal Procedure, to call for the records in connection with the order dated 10.11.2023 in Crl.M.P.No.8 of 2023 in M.C.No.31 of 2023 passed by the learned Family Court, Tiruppur and set aside the same as illegal and improper.

For Petitioner : Mr.S.Kingston Jerold

ORDER

This Criminal Revision Case has been filed challenging the order dated 10.11.2023 passed in Crl.M.P.No.8 of 2023 in M.C.No.31 of 2023 on the file of the Family Court, Tiruppur, thereby allowing the application filed by the



Crl.R.C.No.741 of 2025

petitioner and set aside the ex-parte order on condition that the petitioner shall

deposit 50% of the monthly maintenance amount sought by the respondents on or before 29.11.2023.

2. The petitioner is the husband and the first respondent is the wife. Out of their wedlock, the second respondent was born. Due to misunderstanding, they got separated. Thereafter, the respondents, being unable to maintain themselves, filed a maintenance case in M.C.No.31 of 2023 seeking maintenance of Rs.50,000/- per month. Pending maintenance case, the petitioner failed to appear and as such, he was set ex-parte. Thereafter, the petitioner filed a petition to set aside the ex-parte order, which was allowed by the Trial Court on condition that he shall deposit 50% of the monthly maintenance amount sought by the respondents. Accordingly, the petitioner also complied with the condition and deposited the same. However, the Trial Court insisted the petitioner to deposit the said amount each and every month, till the disposal of the maintenance case.

3. Heard the learned counsel appearing for the petitioner and perused the materials available on record.



Crl.R.C.No.741 of 2025

4. A perusal of the order passed by the Trial Court reveals that the application to set aside the ex-parte order was allowed on the condition that the petitioner shall deposit 50% of the monthly maintenance amount sought by the respondent on or before 29.11.2023. Accordingly, the petitioner has duly complied with the said conditions.

5. Considering the submissions made by the learned counsel for the petitioner and also taking into account the fact that the petitioner has complied with the condition imposed by the Trial Court, this Court directs the Trial Court not to insist upon the petitioner to make any further monthly deposits till the final disposal of the maintenance case.

6. With the above direction, this Criminal Revision case stands disposed of. However, the Trial Court is directed to complete the trial and dispose of the maintenance case in M.C.No.31 of 2023 within a period of three months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

13.06.2025

Index : Yes/No
Neutral citation : Yes/No
Lpp



Crl.R.C.No.741 of 2025

G.K.ILANTHIRAIYAN, J.
Lpp

WEB COPY

To

The Family Court,
Tiruppur

Crl.R.C.No.741 of 2025

13.06.2025