



Crl.R.C.No.676 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 26.08.2025

CORAM:

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

Crl.R.C.No.676 of 2024
and Crl.M.P.No.6349 of 2024

Sakthivel

... Petitioner

Vs.

1. S.Sivakala
2. Minor Ayappan
Rep. by Guardian S.Sivakala

... Respondents

PRAYER: Criminal Revision has been filed under Section 397 r/w 401 of Cr.P.C., praying to call for the records and set aside the order dated 22.03.2024 passed in C.M.P.No.679 of 2023 in M.C.No.3 of 2021 on the file of the learned Judicial Magistrate, Ulundurpet.

For Petitioner : No appearance

For Respondents : No appearance

ORDER

The Criminal Revision Case has been preferred as against the order dated 22.03.2024 passed by the learned Judicial Magistrate, Ulundurpet, in C.M.P.No.679 of 2023 in M.C.No.3 of 2021, thereby issued distress warrant as against the petitioner.



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2. The petitioner got married with the first respondent on 10.02.2008 and gave birth to the second respondent. Due to misunderstanding between them, they got separated and living separately. Therefore, the respondents could not maintain themselves and filed petition for maintenance in M.C.No.3 of 2021 before the learned Judicial Magistrate No.II, Ulundurpet. The trial Court passed an ex parte order dated 17.06.2022, thereby ordered monthly maintenance of Rs.20,000/- to the respondents. Since the petitioner did not pay any amount, the respondents filed petition for collection of arrears of maintenance amount.

3. In that petition, the trial Court issued distress warrant on the ground that the petitioner failed to pay 25 months arrears of maintenance. Therefore, the trial Court imposed 25 days simple imprisonment for each default month. Accordingly, the petitioner was ordered to undergo 625 days simple imprisonment in toto. However, if the petitioner pays the entire arrears amount of maintenance amount, he would be released immediately. So far, the petitioner did not pay any arrears of maintenance and as such, this Court is not inclined to entertain this revision and it is liable to be dismissed.



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Consequently, connected miscellaneous petition is closed.

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Index : Yes/No
Neutral Citation : Yes/No
Speaking/Non Speaking order

rts

To

1. The Judicial Magistrate,
Ulundurpet.



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G.K.ILANTHIRAIYAN. J,

rts

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