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CRL RC No. 811 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2025

CORAM

THE HONOURABLE MR JUSTICE P. VELMURUGAN

CRL RC No. 811 of 2023

and

CrI.M.P.No.6242 of 2023

Sumesh Kumar
S/o. Maariappan,
Sappanipatti Village,
Karagoor Post, Krishnagiri District.

Petitioner(s)

Vs

DHANALAKSHMI
D/o. Madhan,
No.79/81, Ambedkar Colony,
Dharmapuri Taluk,
Dharmapuri District.

Respondent(s)

PRAYER: This petition filed under Section 397 read with 401 Cr.P.C, to set aside the order dated 31.01.2023 passed in M.C.No.32/2019 on the file of Family Court of Dharmapuri.



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For Petitioner(s): No appearance

For Respondent(s): Mr.R.Prabakar

ORDER

This Criminal Revision Petition has been filed to set aside the order dated 31.01.2023 passed in M.C.No.32/2019 on the file of Family Court of Dharmapuri.

2. Today, when the matter is taken up for hearing, there is no representation for the petitioner. Despite sufficient opportunities to the petitioner, the petitioner has not come forward to prosecute the revision case. Since the revision petition arising out of the order passed by the learned Magistrate on maintenance, this Court is inclined to take up the matter and perused the materials available on record. Heard the learned counsel for the respondent.



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3. On a reading of materials, it is found that though the respondent has stated that the petitioner is earning not less than Rs.40,000/- per month, the petitioner admitted that he is earning Rs.28,000/- per month. As per the observation made by the learned Magistrate, the petitioner is a man of means and the respondent is unable to maintain herself. Considering the economical status and monthly income of the petitioner and the cost of living prevailing as on date, the Judge, Family Court has ordered Rs.10,000/- as maintenance. There is no perversity or there is no reason or valid ground to interfere with the order passed by the learned Magistrate.

4. However, the petitioner is directed to deposit the entire arrears amount to the credit of M.C.No.32/2019 on the file of the Family Court, Dharmapuri, if already not deposited, failing which, the learned Magistrate is directed to take effective steps to execute the said order.



5. With the abovesaid direction, this Criminal Revision Petition is dismissed. Consequently connected miscellaneous petition is closed.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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Family Court , Dharmapuri



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P.VELMURUGAN J.

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