



Crl.R.C.No.777 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 11.08.2025

CORAM:

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

Crl.R.C.No.777 of 2023
and Crl.M.P.No.6013 of 2023

V.Sakthidasan

... Petitioner

Vs.

S.Karmuhil

... Respondent

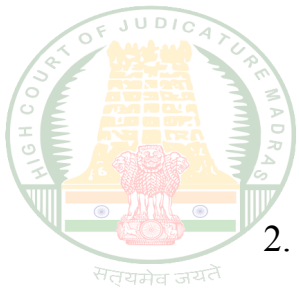
PRAYER: Criminal Revision has been filed under Section 397 & 401 of Cr.P.C., praying to allow this Criminal Revision Petition by setting aside the order dated 26.12.2022 passed in M.C.No.452 of 2019 by learned II Additional Principal Family Court, Chennai.

For Petitioner : Mr.R.Thirumoorthy

For Respondent : No appearance

ORDER

This Criminal Revision has been preferred as against the order dated 26.12.2022, passed by the learned II Additional Principal Judge, Family Court, Chennai, in M.C.No.452 of 2019, thereby ordered maintenance of Rs.20,000/- in favour of the respondent.



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2. The petitioner is the husband of the respondent and they got married on 01.12.2016. Thereafter, the petitioner had committed cruelty on her mentally and physically. He also demanded more dowry. Thereafter, the respondent was driven out from the matrimonial house and therefore she could not maintain herself and filed maintenance petition under Section 125 of Cr.P.C., and sought for monthly maintenance. During the trial, the petitioner had admitted that he is earning monthly maintenance of Rs. 34,000/- and also filed divorce petition on the ground of cruelty as against the respondent. In fact, while pending the maintenance case, he also paid interim maintenance of Rs.5,000/- to the respondent. Finally, the trial Court awarded a sum of Rs.20,000/- as monthly maintenance in favour of the respondent. Aggrieved by the same, the petitioner filed the present revision.

3. The learned counsel appearing for the petitioner submitted that now the petition is unemployed and he is not earning anything and hence, he could not pay the monthly maintenance as ordered by the trial Court. Hence, he prayed to set aside the order passed by the Court below.



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4. Heard the learned counsel appearing for the petitioner and perused the materials placed before this Court. Though notice served and the name is also printed in the cause list, no one is appeared on behalf of the respondent either by person or through pleader.

5. On perusal of the records, it is revealed that though the petitioner submitted before this Court that he is unemployed and he is not earning anything, before the trial Court, he admitted that he is earning Rs.34,000/- per month. However, this Court feels that the award of maintenance ordered by the trial Court is little bit higher and therefore, this Court is inclined to reduce the amount to the tune of Rs.12,500/-.

6. In view of the above, the monthly maintenance amount as ordered by learned II Additional Principal Judge, Family Court, Chennai, in M.C.No.452 of 2019, dated 26.12.2022, is reduced from Rs.20,000/- to a sum of Rs.12,500/- (Rupees twelve thousand five hundred only) in favour of the respondent.



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WEB COPY 7. Accordingly, the Criminal Revision Case stands partly allowed.

Consequently, connected miscellaneous petition is closed.

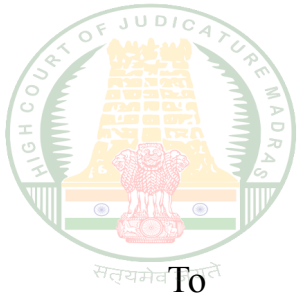
11.08.2025

Internet: Yes

Index: Yes/No

Speaking/Non speaking order

rts



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To
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1. The II Additional Principal Judge,
Family Court, Chennai.



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G.K.ILANTHIRAIYAN. J,

rts

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