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Crl.R.C.No.1006 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C.No.1006 of 2025

and

Crl.M.P.No.13382 of 2025

Mohamed Yasser Kareem

... Petitioner

Versus

Riyas Fathima

... Respondent

PRAYER: Criminal Revision Case is filed under Sections 438 r/w 442 of the Bharthiya Nagarik Suraksha Sanhita (BNSS), 2023, to set aside the order dated 11.11.2024 passed in M.P.No.1039 of 2023 in M.C.No.251 of 2023 on the file of the VI-Additional Principal Judge, Family Court, Chennai, by allowing this Criminal revision case.

For Petitioner : Mr. V. Nallasenapathy,
for Mr. R. Manickavel

For Respondent : Mr. K. Nizamuddin

ORDER

This revision has been preferred against the order dated 11.11.2024 passed in M.P.No.1039 of 2023 in M.C.No.251 of 2023 on the file of the VI-Additional Principal Judge, Family Court, Chennai, thereby directing the

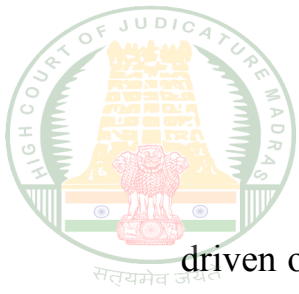


Crl.R.C.No.1006 of 2025

petitioner herein/respondent therein to pay a sum of Rs.20,000/- per month as interim maintenance to the respondent herein.

2. The petitioner is the husband of the respondent herein. Both got married on 07.05.2008. Due to the misunderstandings between them, they got separated. The respondent/wife living in the matrimonial house and the petitioner/husband is residing in a rented house. The petitioner earns a monthly salary at about Rs.1,70,000/-. The respondent is also working as Assistant Professor in a private college, earning a salary of about Rs.32,000/- per month. Claiming that she could not maintain herself, the respondent filed a maintenance petition in M.C.No.251 of 2023. Pending the main case, she filed a petition in M.P.No.1039 of 2023, seeking interim maintenance of Rs.75,000/- per month till the disposal of the main case. After considering the facts and circumstances of the case, the Trial Court awarded interim maintenance of Rs.20,000/- per month, payable by the petitioner to the respondent herein from the date of petition. Aggrieved by the same, the present revision has been filed before this Court.

3. The learned counsel for the petitioner submitted that the respondent is living in the matrimonial house, and it is the petitioner who was



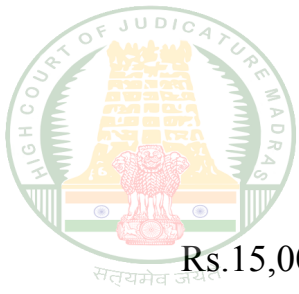
Crl.R.C.No.1006 of 2025

driven out. Now, the petitioner is residing in a rented house, and is also taking care of his parents. It was further submitted that the respondent is earning Rs.32,000/- per month, which she has admitted. Therefore, the respondent can manage herself and the interim maintenance awarded by the Trial Court is very high.

4. Per contra, the learned counsel appearing for the respondent submitted that the petitioner had already issued *talaq* notice to the respondent and he has not even paid a single rupee so far, towards the interim maintenance as awarded by the Trial Court.

5. Heard the learned counsel appearing on both sides and perused the materials available on record.

6. Considering the above facts of the case, this Court is inclined to reduce the interim award amount from Rs.20,000/- to Rs.15,000/- per month payable by the petitioner. The petitioner shall pay the arrears of interim maintenance of Rs.15,000/- from the date of the respondent's petition, as awarded by the Trial Court, within four weeks from the date of receipt of a copy of this order. The petitioner shall also continue to pay the sum of



CrI.R.C.No.1006 of 2025

Rs.15,000/- as interim maintenance for every month without fail. Failing which, the respondent is at liberty to take appropriate legal action in the manner known to law.

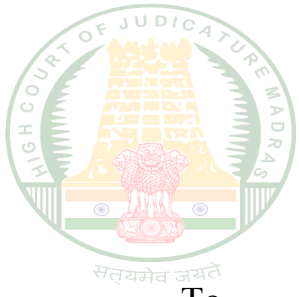
7. Accordingly, the order dated 11.11.2024 made in M.P.No.1039 of 2023 in M.C.No.251 of 2023 passed by the VI-Additional Principal Judge, Family Court, Chennai, is modified as indicated above. Further, the Trial Court is directed to dispose of the case within six months from the date of receipt of a copy of this order.

8. With the above observations and directions, this Criminal Revision Case is partly allowed. Consequently, the connected miscellaneous petition is also closed.

29.07.2025

Speaking / Non-Speaking Order
Neutral Case Citation : Yes/No
Index : Yes/No

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CrI.R.C.No.1006 of 2025

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1. The VI-Additional Principal Judge, Family Court, Chennai.



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Crl.R.C.No.1006 of 2025

G.K.ILANTHIRAIYAN, J.

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Crl.R.C.No.1006 of 2025
and
Crl.M.P.No.13382 of 2025

29.07.2025