



Crl.R.C.No.1022 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

Dated : **24.06.2025**

CORAM:

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

Crl.R.C.No.1022 of 2023

Sri. K. Sampath (alias) Loganathan

... Petitioner

Versus

Smt. V. Koteeswari

... Respondent

PRAYER: Criminal Revision Case is filed under Sections 397 & 401 of Criminal Procedure Code, 1973, to set aside the order delivered on 07.11.2022 by the learned Family Court, Chengalpattu in F.C.M.C.No.24 of 2020.

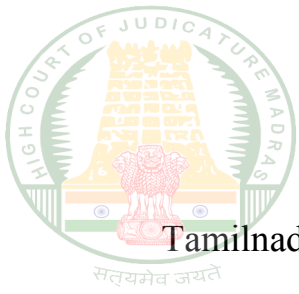
For Petitioner : Mrs. R. Divya

For Respondent : Mrs. S. Sujatha

ORDER

This Criminal Revision Case has been filed as against the order dated 07.11.2022 passed in F.C.M.C. No.24 of 2020 on the file of the learned Judge, Family Court, Chengalpattu.

2. The petitioner is the husband of the respondent. They got married on 09.12.2010. At the time of marriage, the petitioner was employed in a private concern in Rajasthan. Thereafter, he secured another job in a private concern in



Crl.R.C.No.1022 of 2023

Tamilnadu. After their marriage, they had no issues. However, due to the misunderstandings between them, they got separated, and the respondent is living separately. The respondent/wife filed a petition for maintenance under Section 125 of Cr.P.C., on the ground that she is unable to maintain herself. After full fledged trial, the Trial Court awarded Rs.15,000/- per month as maintenance payable by the petitioner herein. Aggrieved by the same, the petitioner/husband has filed the present revision.

3. Learned counsel for the petitioner submitted that the petitioner had met with an accident and sustained grievous injuries. Therefore, he is unable to work and is currently unemployed. Additionally, it is submitted that the respondent/wife had filed a divorce petition in F.C.O.P. No.278 of 2019 on the ground that the petitioner is an impotent, which was decreed in favour of the respondent on 11.07.2022. Learned counsel also submitted that the respondent suppressed the fact that she is employed as a Cashier in the Central Cooperative Bank and filed maintenance petition falsely claiming that she is unemployed and unable to maintain herself. Furthermore, it is submitted that the petitioner owns agricultural land, it does not generate any income, and as such, the petitioner is unable to pay a monthly maintenance amount of Rs.15,000/- per month to the respondent as monthly maintenance.



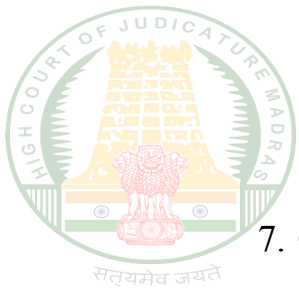
Crl.R.C.No.1022 of 2023

WEB COPY

4. Per contra, the learned counsel appearing for the respondent countered that although the respondent/wife is working as a Cashier in Central Cooperative Bank, she draws a meagre salary and therefore, she cannot maintain herself solely with that income. It was further submitted that the petitioner owns several immovable properties and has monthly income of Rs.1 Lakh from those properties. Hence, considering these facts, the Trial Court rightly awarded a sum of Rs.15,000/- per month as maintenance and it is a very meagre one. Hence, it does not call for any interference.

5. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondent and also perused the materials available on record.

6. Upon perusal of the records, this Court finds that the respondent is employed as a Cashier and is earning a reasonable salary sufficient to maintain herself. On the other hand, though the petitioner owns several immovable properties, including agricultural land, there is no consistent income derived from those properties, and he is presently unemployed due to an accident.



Crl.R.C.No.1022 of 2023

7. Considering the over all facts of the case, this Court is of the opinion

that the maintenance amount awarded by the Trial Court should be reduced from Rs.15,000/- per month to Rs.7,500/- per month.

8. Accordingly, the Criminal Revision Case is partly allowed. The petitioner shall pay a sum of Rs.7,500/- as monthly maintenance to the respondent. However, the respondent is at liberty to proceed against the petitioner for compliance with the maintenance order from the date of petition, in a manner known to law.

24.06.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

klt

To

1. The Family Court, Chengalpattu.



WEB COPY



Crl.R.C.No.1022 of 2023

G.K.ILANTHIRAIYAN, J.

klr

Crl.R.C.No.1022 of 2023

24.06.2025