



WEB COPY

CRL RC No. 1299 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-03-2025

CORAM

THE HONOURABLE MR JUSTICE P. VELMURUGAN

CRL RC No. 1299 of 2024

1. SHANMUGASUNDARAM

S/o.Palaniappa Mudaliyar,
D.No.5/41B, Vellan Nagar,
Venagamedu, Angeripalayam,
Chettipalayam, Tiruppur.

Petitioner(s)

Vs

1. SEETHALAKSHMI

W/o.Shanmugasundaram, Residing At
M.S.Nagr South, Rani Mangamma
Nagar 2nd Street,
Employed At PR Textiles, Kumaran
Traders, Rajaji Nagr, 4th Street,
Cotton Mill Road, P.N.Road,
Tirupur - 2.

Respondent(s)

PRAYER: This Criminal Revision Petition is filed under Section 438 read with Section 442 of BNSS, 2023, to call for the records and set aside the order passed by the learned Family Court Judge, Tiruppur, in CMP.No.2 of 2023 in M.C.No.15 of 2023 dated 16.04.2024.



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For Petitioner(s): M/s.N.Mayilsamy

For Respondent(s): No appearance

ORDER

This Criminal Revision Petition has been filed to call for the records and to set aside the order dated 16.04.2024 passed in CMP.No.2 of 2023 in M.C.No.15 of 2023 by the learned Judge, Family Court, Tiruppur.

2. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

3. The petitioner/husband has filed the petition in C.M.P.No.2 of 2023 in M.C.No.15 of 2023 seeking to set aside the exparte order dated 11.08.2023 passed by the learned Judge, Family Court, Thirupur. The learned Judge, Family Court vide impugned order dated 16.04.2024 dismissed the petitioner's petition. Aggrieved by the same, the petitioner has filed this criminal revision petition.

4. Section 397(ii) Cr.P.C. clearly states that powers of revision cannot be used against the interlocutory orders. Hence no revision would lie against the interlocutory order.



5. In view of the same, this criminal revision petition is dismissed as not

maintainable. However, the petitioner is at liberty to workout his remedy before

the learned Judge, Family Court, Tiruppur.

28-03-2025

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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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The Judge, Family Court , Tiruppur,



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P.VELMURUGAN J.

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