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Crl.RC.No.1446 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.RC.No.1446 of 2024 and

Crl.M.P.No.12177 of 2024

S.Karumalai Durai

... Petitioner

Vs.

1. K.Anitha

2. Baby.K.Niranjana

(Rep. by his mother and natural guardian

K.Anitha w/o.S.Karumalaidurai

D/o.M.Karmegam)

... Respondents

Prayer: Criminal Revision Case filed under Section 397 and 401 Cr.P.C. to call for the records pertaining to the order dated 22.04.2024 made in M.P.No.1613 of 2023 in M.C.No.91 of 2021 on the file of the IV Additional Family Court, Chennai and set aside the same.

For Petitioner : Mr.T.Ananthasekar

For Respondents : Mr.M.Rajasekaran



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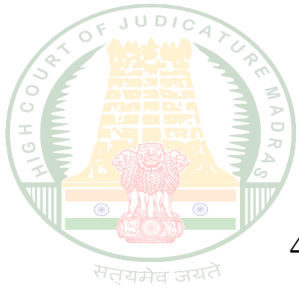
ORDER

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This Criminal Revision Case has been filed by the petitioner to set aside the order dated 22.04.2024 made in M.P.No.1613 of 2023 in M.C.No.91 of 2021 on the file of the IV Additional Principal Family Court, Chennai.

2. Heard both sides and perused the materials available on record.

3. It is seen that the petitioner is the husband of first respondent and father of second respondent. The respondents have filed a maintenance case in M.C.No.91 of 2021 before the IV Additional Principal Family Court, Chennai, and pending maintenance case, they have filed a petition in M.P.No.1613 of 2023 seeking interim maintenance till the disposal of the maintenance case. The said petition has been partly allowed by the Judge, Family Court by order dated 22.04.2024 directing the husband to pay interim maintenance of Rs.10,000/- to the wife and Rs.15,000/- to the daughter (in total Rs.25,000/-). Aggrieved by the order of interim maintenance, the husband has filed the present revision before this Court. The main M.C. is still pending.



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4. It is settled proposition of law that no revision would lie against interlocutory order and it is barred under Section 397(2) of Cr.P.C.

5. Since the present revision is filed against the interlocutory order passed in M.P.No.1613 of 2023 in M.C.No.91 of 2021, this revision is not maintainable.

6. Accordingly, this Criminal Revision Case is dismissed. Consequently, the connected Miscellaneous Petition is closed.

7. However, the petitioner is at liberty to work out his remedy in the pending maintenance case.

27.03.2025

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

The IV Additional Principal Family Court,
Chennai.



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P.VELMURUGAN. J.

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