



CrI.RC.No.1528 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.RC.No.1528 of 2024

D.Sindhu

... Petitioner

Vs.

A.Suresh

... Respondent

Prayer: Criminal Revision Case filed under Section 438 read with 442 of B.N.S.S. to call for records and to set aside the order in Criminal M.P.No.1010 of 2023 in M.C.No.200 of 2022 dated 03.07.2024 on the file of learned Additional Principal Family Court, Chennai, in so far as the order dismissing the claim of maintenance by the petitioner.

For Petitioner : No Appearance

For Respondent : No ready in notice

ORDER

This Criminal Revision Case has been filed by the petitioner who is the wife of the respondent herein to set aside the order passed in M.P.No.1010 of



Crl.RC.No.1528 of 2024

2023 in M.C.No.200 of 2022 dated 03.07.2024 on the file of III Additional

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Principal Family Court, Chennai, dismissing the claim of maintenance by the petitioner.

2. Today, when the matter is taken up for hearing, there is no representation for the petitioner.

3. Since, this revision is related to maintenance case, this Court perused the materials available on record.

4. It is seen that the petitioner who is the wife of the respondent herein, along with her minor daughter has filed a maintenance case in M.C.No.200 of 2022 before the III Additional Principal Family Court, Chennai, and pending maintenance case, she has also filed a petition in M.P.No.1010 of 2023 seeking interim maintenance. The said petition has been partly allowed by the Judge, Family Court by order dated 03.07.2024 directing the petitioner/husband to pay Rs.10,000/- per month towards interim maintenance of the child/2nd petitioner therein and a sum of Rs.50,000/- per year towards educational expense of the



CrI.RC.No.1528 of 2024

child, however, no maintenance was ordered insofar as the petitioner/wife is

concerned. Hence, the present revision has been filed by the wife. The main

M.C. is still pending.

5. 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.

6. Since the present revision is filed against the interlocutory order passed in M.P.No.1010 of 2023 in M.C.No.200 of 2022, this revision is not maintainable.

7. Accordingly, this Criminal Revision Case is dismissed.

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

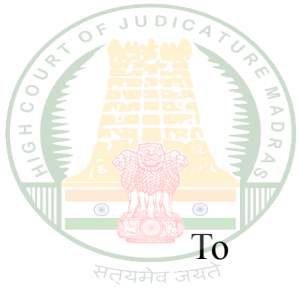
27.03.2025

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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CrI.RC.No.1528 of 2024

To

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The III Additional Principal Family Court,
Chennai



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CrI.RC.No.1528 of 2024

P.VELMURUGAN. J.

Ksa-2

CrI.RC.No.1528 of 2024

27.03.2025