



CRL RC. No. 1477 of 2024

T.V.THAMILSELVI, J.

Today, the matter is listed under the caption “for being mentioned“ at the instance of the learned counsel for the petitioner.

2. The learned counsel for the petitioner submitted that even after the direction of this Court dated 16.09.2025, the respondent has not paid the interim maintenance to the child.

3. The learned counsel for the respondent also appeared through video conference.

4. In view of the above submission, the Registry is directed to delete the following sentence in the order dated 16.09.2025 in Crl.R.C.No.1477 of 2024:

“7. the second respondent is directed to pay a sum of Rs.40,000/- to the petitioner and the child as interim maintenance and also directed to pay the educational expenses to the child within the first five days of every English Calendar month and the said payments shall start from this month (September 2025) itself and the petitioner is directed to pay this maintenance until it is modified by any Court of law”

and insert the following sentence in its place:



7. “i) the second respondent is directed to pay a sum of Rs.40,000/- to the petitioner and the child as interim maintenance and also directed to pay the educational expenses to the child within the first five days of every English Calendar month and the said payments shall start from November 2025 and the second respondent is directed to pay this maintenance till the disposal of the Maintenance case No.4 of 2024”

ii) the second respondent is also directed to pay the arrears for the months of September and October 2025 within a period of two weeks.

iii) the second respondent shall comply with the order of this Court without fail, and if any deviation, the petitioner is at liberty to execute the order before the Trial Court.

5. In all other respects, the order dated 16.09.2025, shall remain unaltered.

12-12-2025

pvs

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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CRL RC. No. 1477 of 2024



T.V.THAMILSELVI J.
pvs

CRL RC. No. 1477 of 2024

12-12-2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.09.2025

CORAM:

THE HONOURABLE MRS. JUSTICE T.V. THAMILSELVI

Crl. R.C. No. 1477 of 2024

Sindhu, Female/Aged-36 years,
W/o.Vinoth,
D/o Mathivanan,
No.1/69, Main Road,
Alankottai Village, Mannargudi Taluk,
Thiruvarur. ...Petitioner

Versus

1.State Represented by,
The Inspector of Police,
All Women Police Station,
Mannargudi.
(Crime No.02/2020)

2.Vinoth
S/o.Selvaraj

Presently Residing at:
No.18211, Bulverde Road,
APT 4208, San Antonio, TX, 78259,
United States of America.

Permanently Residing at:
VadakuStreet, Melaththirupaalakudi,
Mannargudi Taluk.

... Respondents



PRAYER: Criminal Revision Case filed under Section 438 read with Section 442 of BNSS, 2023 to set aside the order passed in CrI.MP.No.5206 of 2024 dated 05.08.2024 in C.C.No.385 of 2022 by the learned Judicial Magistrate No.1, Mannargudi by allowing the Criminal Revision Petition.

For Petitioner : Mr. Swamisubramanian.

For Respondents : Dr. C.E. Pratap,
Government Advocate (CrI.Side) for R1.

Mr. S. Arivazhagan for R2.

J U D G M E N T

This Criminal Revision has been filed to set aside the order passed in CrI.M.P.No.5206 of 2024 dated 05.08.2024 passed by the learned Judicial Magistrate No.1, Mannargudi.

2.When this matter was taken up for hearing, both the petitioner and the second respondent appeared as per the direction of this Court. The learned counsel for the second respondent submits that after recalling the warrant, the second respondent / husband of the petitioner is regularly attending the Court and as on date major witnesses were examined and the case is posted for evidence of the Investigation Officer and thus, sought for dismissing the petition.



3.The learned counsel for the petitioner, on the other hand, raised strong objection stating that the learned Magistrate has erroneously recalled the Nonailable Warrant issued against the second respondent and sought for setting aside the said order passed by the trial Court by stating that after recalling of the Non Aailable Warrant, the second respondent did not attend the court regularly and as on date, the trial has not yet completed and the fact remains that out of the marriage, they have got a son named Guru who is a special child and he is under the care of the petitioner. It is also submitted by the learned counsel for the petitioner that there is no material to show that the second respondent was paying any maintenance to his child.

4.The learned Government Advocate (Criminal Side) has also raised his objections stating that the second respondent has not attended the court regularly for years together and thus, the case filed against him was split up. It is further submitted that the quash petitions which have been filed by the second respondent, was dismissed by this Court by order dated 22.12.2021 and thus, sought for dismissing the petition.

5.Heard the parties and perused the materials available on record.



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6.It is seen from the records that the second respondent is working in USA and the child is also a USA citizen. It is submitted by the learned counsel for the second respondent that he is taking care of the child and the child has been given treatment in USA. It is also submitted that the second respondent is attending the court regularly and therefore, the order passed by the learned Magistrate recalling the warrant issued against the second respondent needs no interference.

7.However, it is seen that as on date, the child is under the care of the petitioner and was continuing his treatment. Though it is not the scope of this petition, considering the submissions and the treatment undergoing by the child, this Court feels that the child requires an interim maintenance. Hence, the second respondent is directed to pay a sum of Rs.40,000/- to the petitioner and the child as interim maintenance and also directed to pay the educational expenses to the child within the first five days of every English Calendar month and the said payments shall start from this month (September 2025) itself and the petitioner is directed to pay this maintenances until it is modified by any Court of law.



8. With the above directions, this petition is disposed of.

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16.09.2025

ay

Index: Yes/No

Neutral Citation : Yes/No

Speaking Order / Non-speaking order

To

1. The Judicial Magistrate No.1,
Mannargudi.
2. The Inspector of Police,
All Women Police Station,
Mannargudi.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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T.V. THAMILSELVI, J
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Crl. R.C. No. 1477 of 2024

16.09.2025