



Crl.R.C.No. 1253 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.07.2025

CORAM:

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

Crl.R.C.No.1253 of 2025

and

Crl.M.P.No.14680 of 2025

T.Murugesan

..... Petitioner

Vs

G.Nandhini

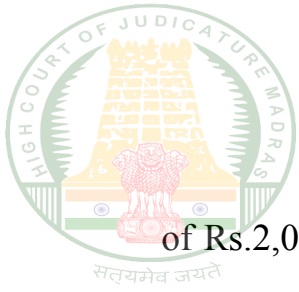
..... Respondent

PRAYER: Criminal Revision Case is filed under Section 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to set aside the docket order passed in C.M.P.No.16 of 2025 in M.C.No.9 of 2024 on the file of the Principal Family Court, Coimbatore, dated 20.05.2025 and allow this revision.

For Petitioner : Mr.S.Prabhu

ORDER

This Criminal Revision Case has been filed challenging the order dated 20.05.2025 passed in C.M.P.No.16 of 2025 in M.C.No.9 of 2024 by the learned Principal Family Judge, Coimbatore, thereby allowing the petition to set aside the ex-parte order on condition that the petitioner shall deposit a sum



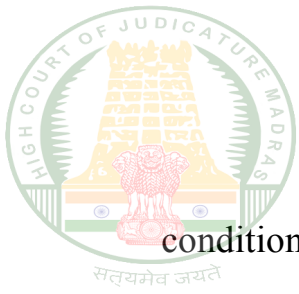
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of Rs.2,00,000/- within a period of two months, failing which the petition shall

stand dismissed and the petitioner shall lose his right to contest HMOP No.1665 of 2023.

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

3. The petitioner is the husband of the respondent herein. Their marriage was solemnized on 12.03.2020. Subsequently, due to misunderstanding, the respondent was driven out from the matrimonial home. Therefore, the respondent was not able to maintain herself and filed a petition in M.C.No.9 of 2024 seeking maintenance. Though the petitioner received notice in the said maintenance case, he failed to appear before the Trial Court and consequently, an ex-parte order was passed. Thereafter, the petitioner filed a petition in C.M.P.No.16 of 2025 in M.C.No.9 of 2024 seeking to set aside the ex-parte order. The said petition was allowed on condition that the petitioner shall deposit a sum of Rs.2,00,000/- within a period of two months, failing which the petitioner shall lose his right to contest HMOP No.1665 of 2023, which was filed by the respondent/wife seeking divorce on the ground of cruelty. The maintenance case was filed in the year 2024. However, the



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condition imposed by the Trial Court is onerous one and therefore, it is liable to

be modified.

4. Accordingly, the petitioner shall pay a sum of Rs.10,000/- per month as interim maintenance to the respondent from the date of the petition and shall continue to pay the same till the disposal of the maintenance case. The Trial Court is directed to dispose of the maintenance case within a period of six months from the date of receipt of a copy of this order.

5. In the result, this Criminal Revision Case is partly allowed. Consequently, connected miscellaneous petition is closed.

30.07.2025

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

To

The Principal Family Judge,
Coimbatore.



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G.K.ILANTHIRAIYAN, J.
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