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Crl.RC.No.1641 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.RC.No.1641 of 2024 and

Crl.M.P.No.13589 of 2024

Saravanan

... Petitioner

Vs.

1.S.Chithra

2. Sampoorana

Rep. by its natural guardian

... Respondents

Prayer: Criminal Revision Case filed under Section 397 and 401 Cr.P.C. to call for the records relating the order of maintenance passed by the learned Judicial Magistrate, Additional Mahila Court, Alandur, in C.M.P.No.1039 of 2022 in M.C.No.42 of 2022 dated 08.07.2024 and set aside the same.

For Petitioner : Mr.V.Arunkumar

For Respondents : Mr.C.Sugumar



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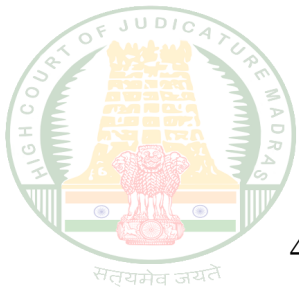
ORDER

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This Criminal Revision Case has been filed by the petitioner to set aside the order passed by the Judicial Magistrate, Additional Mahila Court, Alandur, in C.M.P.No.1039 of 2022 in M.C.No.42 of 2022 dated 08.07.2024.

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

3. It is seen that the petitioner is husband and the respondents are his wife and daughter. The respondents have filed a maintenance case in M.C.No.42 of 2022 before the Judicial Magistrate, Additional Mahila Court, Alandur, and pending maintenance case, they have filed a petition in C.M.P.No.1039 of 2022 seeking interim maintenance till the disposal of the maintenance case. The said petition has been allowed by the Magistrate by order dated 08.07.2024 directing the petitioner/husband to pay a sum of Rs.15,000/- to the respondents/wife and daughter towards interim maintenance. 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 C.M.P.No.1039 of 2022 in M.C.No.42 of 2022, 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 Judicial Magistrate,
Additional Mahila Court, Alandur



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P.VELMURUGAN. J.

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