



Crl.O.P.No.29057 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2025

CORAM:

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

Crl.O.P.No.29057 of 2024
and Crl.M.P.No.16267 of 2024

K.Srinivasan

... Petitioner

Vs.

Govindammal

... Respondent

Prayer: Criminal Original petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the entire records insofar as it relates to the order passed by the learned Principal District and Sessions Judge, Dharmapuri in Crl. Rev. Petition No.6 of 2024 vide order dated 03.09.2024 by confirming the order passed by the learned Judicial Magistrate, Pappireddipatty in M.C.No.10 of 2017 vide order dated 10.01.2024 directing the petitioner herein to pay a sum of Rs.15000/- per month as maintenance from the date of petitioner and set aside the same.

For Petitioner : Mr.R.Thamaraiselvan

For Respondent : No appearance



Crl.O.P.No.29057 of 2024

ORDER

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This petition has been filed as against the order dated 03.09.2024 passed by the learned Principal District and Sessions Judge, Dharmapuri, in Crl. Rev. Petition No.6 of 2024, confirming the order dated 10.01.2024 passed by the learned Judicial Magistrate, Pappireddipatty in M.C.No.10 of 2017, thereby ordered monthly maintenance of Rs.15,000/- payable by the petitioner to the respondent.

2. The petitioner is the husband and the respondent is the wife. They got married on 25.09.2003 and thereafter due to misunderstanding they got separated and the respondent is living separately. Therefore, the respondent could not able to maintain herself and she filed maintenance petition seeking maintenance in M.C.No.10 of 2017 on the file of the learned Judicial Magistrate, Pappireddipatty, Dharmapuri District. The trial Court awarded a sum of Rs.15,000/- as monthly maintenance payable by the petitioner, on 10.01.2024. Aggrieved by the same, the petitioner preferred a revision before the appellate Court and the same was also dismissed and confirmed the order passed by the trial Court. Challenging the said orders, the present petition has been filed.



Crl.O.P.No.29057 of 2024

3. Though the petitioner has taken specific stand that his wife deserted him and she is living with another man, the petitioner failed to establish the same. The petitioner did not file any petition seeking divorce on the ground of adultery. Therefore, both the courts below rightly held that the petitioner is liable to pay monthly maintenance of Rs.15,000/- in favour of the respondent. That apart, the petitioner is being a husband it is his duty to maintain his wife. This Court finds no ground to interfere with the order passed by the Courts below.

4. Accordingly, the Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is closed.

06.02.2025

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

To

1. The Principal District and Sessions Judge,
Dharmapuri

2. The Judicial Magistrate, Pappireddipatty.



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Crl.O.P.No.29057 of 2024

G.K.ILANTHIRAIYAN, J.

rts

Crl.O.P.No.29057 of 2024
and Crl.M.P.No.16267 of 2024

06.02.2025