



Crl.R.C.No.533 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.04.2025

CORAM:

THE HON'BLE Mr. JUSTICE P.VELMURUGAN

Criminal Revision Case No. 533 of 2025

and

Crl.M.P.No. 7526 of 2025

Senthil Prakash

... Petitioner

..VS..

1. Shobana

2. Minor. Sajeev

Rep.by Mother & Next Friend

... Respondents

Criminal Revision Case filed under Sections 438 read with 442 BNSS, 2023, to set aside the order dated 15.02.2024 passed in Crl.M.P.No.55 of 2023 in M.C.No.20 of 2023 on the file of the Family Court, Puducherry and dismiss the petition by allowing this revision.

For Petitioner : Mr.S.S.Swaminathan

For Respondents : No appearance

ORDER

The Criminal Revision Case is preferred against the order dated 15.02.2024 passed in Crl.M.P.No.55 of 2023 in M.C.No.20 of 2023 on the file of the Family Court, Puducherry.



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2 It is seen that the petitioner is husband and the first respondent is wife and second respondent is their minor son. The respondents / wife and son filed a maintenance case in M.C.No.20 of 2023 seeking maintenance from the petitioner/husband. Pending the above maintenance case, the first respondent/wife and the second respondent/ minor son filed miscellaneous petition in Crl.M.P.No.55 of 2023, seeking interim maintenance of Rs.25,000/- per month to each of the respondents as interim maintenance. The learned District Judge, after hearing both the parties *vide* order dated 15.02.2024, directed the petitioner/husband to pay a sum of Rs.5,000/- to the first respondent/wife and Rs.20,000/- to the second respondent/minor son, totally Rs.25,000/-, apart from medical expenses of the second respondent as monthly interim maintenance. Challenging the said order, the petitioner/husband is before this Court.

3 This revision is preferred as against the interlocutory order passed in Crl.M.P.No.55 of 2023 in M.C.No.20 of 2023. The maintenance case itself is summary in nature and as per Section 397(2) Cr.P.C. as against any interlocutory order passed by the Court below,

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revision would not lie before this Court.

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4 Therefore the Criminal Revision Case stands dismissed. Consequently connected miscellaneous petition is closed. It is open to the petitioner-husband to workout his remedy before the Court below, where the maintenance case is pending.

09.04.2025

Index: Yes/No
Speaking Order/Non Speaking Order
Neutral Citation Case : Yes/No
ms

To

The District Judge,
Family Court,
Puducherry.



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P.VELMURUGAN, J.

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