



Crl.R.C.No.2407 of 2024

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: .09.07.2025

CORAM:

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

Crl.R.C.No.2407 of 2024
and Crl.M.P.No.18509 of 2024

Sivaguru

..... Petitioner

Vs

1.Suguna

2.Dhasvanthraj (Minor)

Rep by the mother and natural guardian

Suguna 1st petitioner herein

..... Respondent

PRAYER: Criminal Revision Case is filed under Sections 438(1) r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to set aside the order dated 04.10.2025 in Crl.M.P.No.1273 of 2024 in M.P.No.867 of 2023 in M.C.No.91 of 2023 dated 04.10.2024 on the file of the III addl.Principal Family court, Chennai.

For Petitioner : No Appearance
For Respondent : Mr.S.Velu

ORDER



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This Criminal Revision Case has been filed as against the order dated 04.10.2024 passed in Crl.M.P.No.1273 of 2024 in M.P.No.867 of 2023 in M.C.No.91 of 2023 on the file of the learned III Additional Principal Family Court, Chennai thereby allowing the petition filed by the respondent seeking arrears of maintenance from 11.07.2023 to February 2024.

2. The petitioner is the husband of the first respondent. They got married and gave birth to the second respondent. Thereafter, due to the misunderstanding between them, they got separated and the respondents were driven out from the matrimonial home. Therefore, they filed a petition seeking maintenance in M.C.No.91 of 2023 under Section 125 of Cr.P.C. On receipt of the notice in the maintenance case, the petitioner failed to appear before the trial court and such he was set *ex-parte*, the trial court ordered maintenance of Rs.10,000/- each to the respondents payable by the petitioner. It was not challenged by the petitioner in any form. Subsequently, the petitioner failed to comply with the order passed by the trial court. Therefore, the respondents were constrained to file an application seeking arrears of maintenance. Even in the said application, though the petitioner was served with notice, he failed to appear before



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the trial court. Therefore, he was set *ex-parte* and the trial court allowed the petition in Crl.M.P.No.1273 of 2024 and directed the petitioner to pay the arrears of maintenance to the tune of Rs.1,53,300/- for the period from 11.07.2023 to February 2024, failing which, he shall undergo simple imprisonment for a period of seven months. Further, the trial court also issued Non-bailable Warrant.

3. In view of the above, this Court finds no merits in this Revision case to interfere with the order passed in Crl.M.P.No.1273 of 2024 in M.P.No.867 of 2023 in M.C.No.91 of 2023 on the file of the learned III Additional Principal Family Court, Chennai.

4. Accordingly, the Criminal Revision Case is dismissed. Consequently, the connected Miscellaneous Petition stands closed.

09.07.2025

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

Nhs

G.K.ILANTHIRAIYAN, J.



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Nhs

To

The III Additional Principal Family court,
Chennai.

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