



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-10-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 1914 of 2025

AND

CRL MP NO. 18469 OF 2025

A.C.Haribabu

S/o. A.Chandrakumar, No.17/8,
Selvavinayagar Koil Street, Perambur,
Chennai - 600011.

Petitioner(s)

Vs

1. K.Sai Sangeetha

W/o. A.C.Haribabu,

2.Minor .Niheeth

S/o. A.C.Haribabu, Minor Rep by his
Mother K.Sai Sangeetha, Both are
residing at No.63/1, Singaram Street,
Vivekananda Nagar, Ramapuram,
chennai - 600089.

Respondent(s)

PRAYER

To set aside the conditional order dated 17.07.2025 passed in MP.No.146/2025 in MC.No.40/2024 on the file of the IV Additional Principal Family Court at Chennai.



For Petitioner(s): Mr. N.Saravanan

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ORDER

Challenging the impugned order dated 17.07.2025 passed in M.P.No.146 of 2025 in M.C.No. 40 of 2024 by the IV Addl. Principal Family Court, Chennai, the petitioner had preferred this Criminal Revision Case.

2. The learned counsel for petitioner would submit that due to lack of communication, he has failed to appear on one hearing. But, the trial court imposed a condition directing him to deposit entire arrears of maintenance. Therefore, he is not able to contest the maintenance case. He would further submit that out of his earnings, he purchased the property in the name of his wife and she is enjoying the property as on date. He would also submit that the petitioner is having valid defence, but the opportunity was not given by the Family Court. Hence, he prayed to set aside the conditional order passed by the Family Court.

3. On perusal of records, the fact reveals that before the trial court, the petitioner had paid the part of arrears of maintenance, but still there is balance in payment of arrears of maintenance to the tune of Rs.8,54,000/-. But the petitioner had failed to comply the condition. Hence, his defence was struck off.



4. Considering submissions made by the petitioner, to give one more opportunity, the petitioner is directed to deposit a sum of Rs.1,00,000/- (Rupees one lakh only) as part of arrears of maintenance into the credit of M.C.No.40 of 2024 before the Principal Family Court, Chennai within a period of two weeks from the date of receipt of copy of this order. On such deposit, the impugned conditional order passed in M.P.No.146 of 2025 in M.C.No.40 of 2024 by the IV Addl. Principal Family Court, Chennai is set aside. On deposit of the said amount, the Family Court is directed to proceed with the case and dispose the same within a period of three months without giving unnecessary adjournments. On such deposit of amount being made, the 1st respondent is permitted to withdraw the same on filing undertaking affidavit. Accordingly, this Criminal Revision Case is disposed of. Consequently, connected Criminal Miscellaneous Petition is closed.

06-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

IV Addl. Principal Family Court, Chennai.



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T.V.THAMILSELVI J.

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