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Crl.R.C.No.371 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2025

CORAM:

THE HON'BLE Mr. JUSTICE P.VELMURUGAN

Criminal Revision Case No.371 of 2025

and

Crl.M.P.No.3789 of 2025

E.Saravanan

... Petitioner

..VS..

R.Tamilselvi

... Respondent

Criminal Revision Case filed under Section 397(1) Cr.P.C. / 438 read with 442 BNSS, 2023, to call for the records pertaining to the order dated 24.10.2024 passed by the learned IV Additional Principal Family Court, Chennai in M.P.No.350 of 2024 in M.C.No.473 of 2023 and set aside the same.

For Petitioner : Mr.M.Kempraj

ORDER

This Criminal Revision Petition is filed to set aside the order dated 24.10.2024 passed by the IV Additional Principal Judge, Chennai in M.P.No.350 of 2024 in M.C.No.473 of 2023



Crl.R.C.No.371 of 2025

WEB COPY

2. The respondent-wife filed a maintenance case in M.C.No.473 of 2023 before the IV Additional Principal Family Court, Chennai under Section 125(1) Cr.P.C., seeking maintenance against the petitioner-husband. Pending maintenance case, the respondent-wife filed a miscellaneous petition in M.P.No.350 of 2024 before the Court below seeking interim maintenance. The learned IV Additional Principal Judge, after appreciating the entire materials, ordered a sum of Rs.15,000/- per month to the respondent-wife as interim maintenance. Aggrieved by the same, the petitioner-husband has filed the present revision.

3. Heard the learned counsel for the petitioner and perused the materials available on record.

4. First of all, the present revision petition filed by the petitioner-husband, is not maintainable, as the impugned order is not a final order and it is only an interlocutory order. It is settled proposition of law that the revision would not lie against any interim



Crl.R.C.No.371 of 2025

WEB COPY

order. Hence, this Court finds that there is no merit in the present revision petition and the same is liable to be dismissed as not maintainable, as the impugned order is only an interlocutory order and the main maintenance case is still pending.

5. It is seen that the maintenance case is pending from the year 2023. The object and scope of Section 125 Cr.P.C. itself are that the maintenance case has to be summarily decided within a possible short span of time.

6. The learned IV Additional Principal Judge, Chennai, is directed to dispose of the maintenance case in M.C.No.473 of 2023 on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order. It is made clear that no extension of time would be granted to dispose of the maintenance case. If the Family Court do not understand the scope of Section 125 Cr.P.C and to dispose of the matter within a stipulated time, the same will be viewed seriously.



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Crl.R.C.No.371 of 2025



Crl.R.C.No.371 of 2025

WEB COPY

7. With the above observations and directions, this Criminal Revision Petition is dismissed. Consequently, connected miscellaneous petition is closed.

05.03.2025

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

To

The IV Additional Principal Judge,
IV Additional Principal Family Court,
Chennai.