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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-12-2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CRL RC No. 2003 of 2025

1. D.Jayapriya

W/o.Santhoshkumar

2. Minor. Saisri

D/o.Santhoshkumar

3. Minor. Mithun

S/o.Santhoshkumar,

(Minor petitioners 2 and 3 represented by
guardian mother 1st petitioner D.Jayapriya)

Petitioner(s)

Vs

N. Santhoshkumar

Respondent(s)

PRAYER: Criminal Revision Case filed under Section 442 of BNSS to allow the revision petition and set aside the fair order dated 30.06.2025 passed in M.C.No. 9 of 2022 on the file of the Family Court, Cuddalore.

For Petitioner(s): Ms.D.Jayasree

For Respondent(s): Mr.S.Dinesh Babu

ORDER

This criminal revision has been filed seeking enhancement of compensation amount awarded to the petitioners 2 & 3 by the Family Court on the application made by the first petitioner.

2.It is the case of the petitioners that the first petitioner got married to the respondent on 27.08.2015; that the petitioners 2 & 3 were born out of the



wedlock; that there were matrimonial differences and they were living separately from the year 2023; that since the respondent did not maintain the petitioners, petitioners filed M.C.No.9 of 2022 under Section 125 Cr.P.C., before the Family Court, Cuddalore; that the Family Court had not awarded maintenance to the first petitioner and had awarded a meagre amount to the second and third petitioners.

3.The learned counsel for the petitioners would therefore seek enhancement of the maintenance amount stating that the respondent is working as Grade - I Constable and he is earning sufficiently and he is bound to pay more maintenance to the minor children considering the expenses involved for their studies and other extra curricular activities.

4.Per contra, the learned counsel appearing for the respondent submitted that the first petitioner is also working as Grade - I Constable; that the first petitioner and respondent had jointly purchased a property and were paying EMI of Rs.16,000/- each towards the loan obtained; that from May 2023, since the first petitioner had not paid the EMI, the respondent had been paying the EMI for the property; that the take home salary of the first petitioner is more than that of the respondent; that the respondent has also been paying Rs.40,000/- towards the school fees for the two children and that considering the above facts, the impugned order does not call for any interference.



5. Admittedly, the first petitioner is also working as Grade - I Constable.

It is seen from the impugned order that the first petitioner had stopped paying EMI towards the loan repayment since May 2023 and it is the respondent who had been paying the EMI. It is the admitted case of the first petitioner that she is drawing a sum of Rs.52,000/- per month. The respondent had also been directed by the Family Court to pay a sum of Rs.40,000/- per annum towards the educational expenses of the minor children, which admittedly he has been paying.

6. Considering the fact that the take home salary of the respondent is Rs.34,000/- and the aforesaid facts, this Court is of the view that there is no infirmity in the impugned order directing the respondent to pay Rs.5,000/- each to the second and third petitioners and Rs.40,000/- per annum to the second and third petitioners towards their educational expenses. Hence, this Criminal Revision stands dismissed.

15-12-2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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To

The Family Court, Cuddalore.



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SUNDER MOHAN, J.

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