



CRL.R.C.(MD)No.871 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 04.09.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CRL.R.C.(MD)No.871 of 2025
and
CRL.M.P.(MD)No.9252 of 2025

S.Jegadevan
S/o.Sundaram,
No.114/1, LDG Church Road,
Little Mount, Saidapet, Chennai – 600 015. ... Petitioner

vs.

Susila,
D/o.Sundarraaj,
No.5/234, D-14,
Kumarasamy Nagar First Street,
Thavasi Perumal Salai,
Athiramarappatti, Thoothukudi-5. ... Respondent

PRAYER: Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, 2023, to call for the records and to set aside the order passed in M.C.No.47 of 2020 on the file of the Family Court, Thoothukudi, dated 06.11.2024.

For Petitioner :Mr.Raja Karthikeyan
For Respondent :Mr.C.T.Perumal



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ORDER

Heard Mr.Raja Karthikeyan, learned Counsel for the petitioner and Mr.C.T.Perumal, learned Counsel for the respondent.

2.This Criminal Revision Petition has been filed by the petitioner against the impugned judgement and order, dated 06.11.2024, passed by Family Court in M.C.No.47 of 2020 by which the respondent/wife was awarded Rs.9,000/-per month, as maintenance allowance.

3.Mr.Raja Karthikeyan, learned Counsel appearing for the petitioner submits that in the petition filed by the respondent/wife in M.C.No.47 of 2020 under Section 125 of Cr.P.C before the Family Court, Thoothukudi, seeking for maintenance, it is alleged that the petitioner and the respondent are husband and wife and the marriage between the petitioner and the respondent was solemnized on 25.09.1998 and due to difference of opinion, they are living separately. The Family Court, Thoothukudi, vide order dated 06.11.2024, awarded Rs.9,000/- as monthly maintenance to the respondent.



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4.The learned Counsel for the petitioner further submits that the petitioner and the respondent are not the husband and wife and the marriage, as alleged by the respondent, was not at all solemnized and the respondent has already married to one Samson Manohar in the year 1990. He further submits that as the petitioner and the respondent are not the husband and wife, she is not entitled to claim maintenance from the petitioner. The Family Court, without properly appreciating the facts and evidence available on record, partly allowed the application filed by the respondent and awarded a sum of Rs.9,000/- per month, as maintenance to the respondent.

5.Per contra, Mr.C.T.Perumal, learned Counsel for the respondent submitted that the Family Court has passed the impugned order after duly considering the facts and circumstances of the case, as well as the statements of both the petitioner and the respondent. It is contended that, in such circumstances, and in order to meet the ends of justice, the impugned order does not warrant any interference by this Court. There is



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no illegality, impropriety, or perversity in the impugned order, nor does it reflect any abuse of the process of the Court.

6.I have considered the submission of the learned Counsel for the parties and also perused the record.

7.The learned Counsel for the petitioner has not been able to point out any such illegality or impropriety or incorrectness in the impugned order which may persuade this Court to interfere in the same. The amount fixed for maintenance was Rs.9,000/- for the respondent, which, in the present days of rising prices and high cost of living, cannot be considered excessive or disproportionate. The provisions of [Section 125](#) of Cr.P.C are beneficial provisions, which are enacted to stop the vagrancy of a destitute wife and provide some succour to them, who are entitled to get the maintenance which cannot be denied.

8.In such circumstances to meet the ends of justice, the impugned order does not require any interference. There is no illegality, impropriety



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and incorrectness in the impugned order and also there seems to be no abuse of Court's process.

9.In view of the above, the Criminal Revision Petition lacks merit and stands **dismissed**. Consequently, connected miscellaneous petition stands closed.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No

04.09.2025

cmr

To

The Judge, Family Court, Thoothukudi.



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SHAMIM AHMED, J.

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