



CrL.R.C.(MD)Nos.310 and 1246 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.06.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CrL.R.C.(MD)Nos.310 and 1246 of 2024
and
CrL.M.P.(MD)No.12844 of 2024

CrL.R.C.(MD)No.310 of 2024 :-

Jeyalakshmi

... Petitioner

-VS-

Jeyaselvam @ Selvam

... Respondent

PRAYER : Criminal Review Case filed under Section 397 r/w. 401 of Cr.P.C., to call for the records in M.C.No.24 of 2018 on the file of the learned Family Court, Madurai and modify the order dated 21.11.2023 by enhancing the maintenance award as prayed in the maintenance case in M.C.No.24 of 2018.

For Petitioner : Ms.T.Seeni Syed Amma

For Respondent : No Appearance

CrL.R.C.(MD)No.1246 of 2024 :-

Jeyaselvam @ Selvam

... Petitioner

-VS-

Jeyalakshmi

... Respondent

Page 1 of 5



CrL.R.C.(MD)Nos.310 and 1246 of 2024

PRAYER : Criminal Review Case filed under Section 397 r/w. 401 of Cr.P.C., to call for the records pertaining to the order of the learned Family Judge, Madurai, dated 21.11.2023 made in M.C.No.24 of 2018, set aside the same by allowing this revision.

For Petitioner : No Appearance
For Respondent : Ms.T.Seeni Syed Amma

COMMON ORDER

Challenging the order passed by the learned Family Judge, Madurai, in M.C.No.24 of 2018 dated 21.11.2023, these Criminal Revision Cases are filed.

2.The petitioner and the respondent in CrL.R.C.(MD)No.310 of 2024 are wife and husband and the wife filed a maintenance case in M.C.No.24 of 2018 before the learned Family Court, Madurai, under Section 125 of Cr.P.C., seeking monthly maintenance of Rs.20,000/-. The learned Trial Court examined the petitioner as P.W.1 and marked Ex.P1 to Ex.P6 and examined the respondent as R.W.1 and marked Ex.R1 and Ex.R2. On the basis of the evidence deposed and documents marked, the learned Family Court was pleased to pass an order of maintenance of Rs.5,000/- per month from the date of petition.

3.When the matter was taken up for hearing on 13.06.2025, the learned counsel appearing for the husband sought time for arguments. Even today (ie., on 18.06.2025), none appeared on behalf of the husband.



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4.The learned counsel appearing for the wife submitted that the wife has filed Crl.R.C.(MD)No.310 of 2024 seeking enhancement of maintenance amount. At the time of cross examination of R.W.1, he admitted that his father possess 1 acre of ancestral property and that the husband's brother Chandraboss owned a lorry, in which he worked as lorry driver. At the time of cross examination, he deposed that he had been working as Coolie and earning an amount of Rs.300/- per day. Only on the basis of the said admission made by the husband, the learned Trial Court had passed an order of maintenance of Rs.5,000/-. However, so far neither the monthly maintenance nor arrears of maintenance has been paid by the husband herein.

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

6.A careful perusal of the materials would reveal that no doubt, an amount of Rs.5,000/- as monthly maintenance with which the wife could not meet out her day to day necessities. However, considering the fact that the husband is only a Coolie worker and considering his duty to maintain his wife, this Court is inclined to enhance the maintenance from Rs. 5,000/- to Rs.6,000/-. The order of the learned Trial Court is modified to that effect that the wife is entitled to monthly maintenance of Rs.6,000/-



CrL.R.C.(MD)Nos.310 and 1246 of 2024

from the date of filing of the petition. The husband is directed to pay the entire arrears of maintenance amount also.

7.In view of the above, CrL.R.C.(MD)No.310 of 2024 is allowed and CrL.R.C.(MD)No.1246 of 2024 is dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

18.06.2025

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

To

1.The Family Judge, Madurai.



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Crl.R.C.(MD)Nos.310 and 1246 of 2024

L.VICTORIA GOWRI, J.

Mrn

Crl.R.C.(MD)Nos.310 and 1246 of 2024

18.06.2025