



*Crl.R.C(MD)No.1008 of 2025*

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.09.2025**

CORAM

**THE HONOURABLE MR.JUSTICE SHAMIM AHMED**

**Crl.R.C(MD)No.1008 of 2025**  
**and**  
**Crl.M.P.(MD)No.10497 of 2025**

Murugesan

... Petitioner

Vs.

1.Saroja  
W/o.Murugesan  
D/o.Manickam

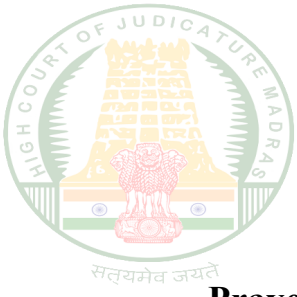
2.Minor M.Monisha,  
D/o.Murugesan

3.Minor Santhosh,  
S/o.Murugesan,

(R-2 and R-3 are represented by R1 who is their mother and natural guardian)

R1 to R3 are residing at  
Rengapalayam,  
Panchapatti Post,  
Krishnarayapuram Taluk,  
Karur District.

... Respondents



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**Prayer** : Criminal Revision Case is filed under Section 438 r/w 442 of BNSS, to call for the records of the order dated 03.01.2025 passed in M.C.No.39 of 2025 in on the file of the Family Court, Karur and Set aside the same.

For Petitioner : Mr.A.K.Manikkam

For Respondents : Ms.N.Ratchaka

**ORDER**

Heard Mr.A.K.Manikkam, learned counsel for the Petitioner and Ms.N.Ratchaka, learned counsel for the Respondents.

2. This Criminal Revision Petition has been filed by the petitioner against the impugned judgement and order dated 03.01.2025 passed by Family Court in M.C.No.39 of 2025 by which opposite party no.1 was awarded Rs.8000/-per month and party no.2 and 3 was awarded Rs.2000/- each, i.e., totally Rs.12,000/- per month to the Respondents, as maintenance allowance.



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3.The learned counsel for the Petitioner submits that the Petitioner is receiving only a meager salary of approximately Rs. 20,000/- per month after statutory deductions and is, therefore, unable to pay a total of Rs. 12,000/- per month towards maintenance to the Respondents. He further submits that the Court below failed to consider that the Opposite Party No.1 (wife) is residing separately from the Petitioner without any just or reasonable cause, and as such, she is not entitled to claim maintenance from the Petitioner. It is also submitted that the Petitioner is willing to resume cohabitation and, to that effect, has filed a petition for restitution of conjugal rights in H.M.O.P. No. 503 of 2024. However, the Court below, after recording the statements of the contesting parties, without properly appreciating the facts and evidence available on record, erroneously allowed the application filed by Opposite Party No.1 and awarded her maintenance of Rs. 8,000/- per month. Additionally, Opposite Parties No.2 and No.3, who are the children, were awarded maintenance of Rs. 2,000/- each per month.

4. Per contra, the learned counsel for the Respondents submitted that the Court below has passed the impugned order after duly



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considering the facts and circumstances of the case, as well as the statements of both the Petitioner and Opposite Party No.1. 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 no illegality, impropriety, or perversity in the impugned order, nor does it reflect any abuse of the process of the Court.

5. I have considered the submission of the learned counsel for the parties and also perused the record.

6. 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. 8000/- for the opposite party no. 1 and Rs.2000/- each for the opposite party no.2 & 3 which, in the present days of high price rise and cost of living cannot be said to be either 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



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the maintenance which cannot be denied. The fact that the Petitioner is the husband of opposite party no.1 and also the father of opposite party nos.2 & 3, has not been denied.

7. In such circumstances to meet the ends of justice, the impugned order does not require any interference. There is no illegality, impropriety and incorrectness in the impugned order and also there seems to be no abuse of court's process.

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

**01.09.2025**

**Nsr**

To:

- 1.The Family Court, Karur
- 2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

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**SHAMIM AHMED, J.**

Nsr

Order made in  
Crl.R.C.(MD)No.1008 of 2025

Dated: 01.09.2025