



Crl.R.C(MD)No.661 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.09.2025**

CORAM

THE HONOURABLE **MR.JUSTICE SHAMIM AHMED**

CRL.R.C.(MD)No.661 of 2025

and

CRL MP(MD)No.7293 of 2025

B.Thangavel,
S/o.Posan,
Residing at No.394/36A1, Sundapanai Colony,
Veeranampalayam Post,
Paramathi Velur Taluk,
Namakkal District.

... Petitioner

VS.

K.Shanthi,
D/o.Krishnan,
Residing at No.107, Subramaniyapuram 1st Street,
Kathapparai, Near Vennaimalai,
Manmangalam Taluk,
Karur District.

... Respondent

PRAYER: Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, 2023, to call for the records pertains to the impugned order passed by the learned Family Court Judge, Karur in M.C.No.78 of 2024, dated 19.04.2025 and to set aside the same.



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For Petitioner :Mr.D.Venkatachalam

For Respondent :Mr.J.Sathiyaraj

ORDER

Heard Mr.D.Venkatachalam, learned counsel appearing for the Petitioner and Mr.J.Sathiyaraj, learned counsel for the Respondent.

2. This Criminal Revision Petition has been filed by the petitioner against the impugned judgement and order dated 19.04.2025 passed by Family Court, Karur in M.C.No.78 of 2024 by which the Respondent was awarded Rs.6,000/-per month, as maintenance allowance.

3. Mr.D.Venkatachalam, learned counsel appearing for the Petitioner submits that the Petitioner and the Respondent are husband and wife. The marriage between the Petitioner and the Respondent was solemnized on 26.02.2016. Due to difference of opinion, they are living separately and the Respondent has filed a petition in M.C.No.78 of 2024 under Section 125 of Cr.P.C before the Family Court, Karur seeking



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maintenance and the Family Court vide order dated 19.04.2025 awarded

Rs.6,000/- as monthly maintenance to the Respondent.

4. The learned counsel for the Petitioner further submits that the Petitioner, who is receiving only a meager salary, is therefore unable to pay a sum of Rs.6,000/- per month towards maintenance to the Respondent. He further submits that the Family Court failed to consider that the Respondent/wife is working as a saleswoman and earning a salary of Rs.9,500/- per month. Moreover, the Petitioner is a construction worker with a meager income, which is insufficient to support his family and maintain his elderly parents. Therefore, the Respondent is not entitled to claim maintenance from the Petitioner. It is also submitted that the Family Court, without properly appreciating the facts and evidence on record, partly allowed the application filed by the Respondent and awarded a sum of Rs.6,000/- per month, as maintenance to the Respondent.

5. When the matter was came up for hearing on 12.06.2025, the co-ordinate bench of this Court passed the following order:

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“The petitioner is directed to pay 50% of the arrears of maintenance amount on or before 20.06.2025.

2.Post the matter on 27.06.2025, under 'for reporting compliance' caption.”

6. When the matter was came up on 30.06.2025, the co-ordinate bench of this Court passed the following order:

“This Court has passed an order directing the petitioner to deposit 50% of the arrear amount to the credit of M.C.No.78 of 2024 on the file of the Family Court, Karur. Accordingly, the petitioner has deposited the same and the receipt issued by the Family Court, Karur is also produced before this Court. The order of this Court is complied.

2. Admit.

3. Notice.

4.Post on 23.07.2025.”

7. Today, when the matter is taken up, Mr.D.Venkatachalam, learned counsel for the Petitioner, submitted that an amount of Rs. 22,500/- has already been deposited before the Family Court, Karur,



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in compliance with the order dated 12.06.2025 passed by the coordinate Bench of this Court. The receipt evidencing the said payment has also been produced before this Court and is already on record. Thus, he prays this Court to set aside the impugned judgment and order dated 19.04.2025 passed by the Family Court, Karur, in M.C. No. 78 of 2024.

8. Per contra, Mr.J.Sathiyaraj, 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 no illegality, impropriety, or perversity in the impugned order, nor does it reflect any abuse of the process of the Court.

9. The learned counsel for the Respondent prays that this Court may direct the Trial Court to release the amount deposited by the Petitioner within the time frame fixed by this Court.



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

11. 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.6,000/- 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. The fact that the Petitioner is the husband of the Respondent, has not been denied.

12. 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.



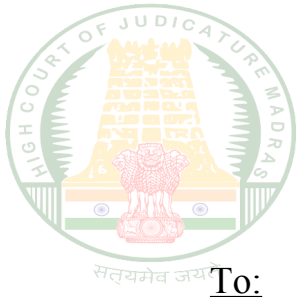
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13. In view of the above, the Criminal Revision Petition lacks merit and stands **dismissed** and the Trial Court is directed to proceed the matter in accordance with law. Consequently, connected miscellaneous petition stands closed.

14. The Respondent is permitted to file an appropriate application before the Family Court, Karur, seeking withdrawal of the sum of Rs.22,500/- (Rupees Twenty-Two Thousand Five Hundred only), which has already been deposited by the Petitioner. Upon receipt of such application, the Family Court, Karur, is directed to process the same and release the aforesaid amount to the Respondent, if not already withdrawn, within a period of ten (10) days from the date of receipt of the application.

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

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- 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.661 of 2025

09.09.2025