



CRL.R.C.(MD).No.785 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01.12.2025

PRESENT

THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

CRL.R.C.(MD).No.785 of 2025

1.Srividhya

2.Minor.Yaddhvi

... Petitioners

(The second petitioner represented by her
Mother Guardian, the first petitioner)

Vs.

Sriharan

... Respondent

PRAYER :- Criminal Revision Case filed under Section 483 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to call for the records relating to the case in Criminal Revision No.68 of 2022 on the file of the 1st Additional District and Sessions Court (PCR), Tiruchirappalli, dated 27.03.2025, which was reversed in M.C.No.4 of 2020 on the file of the learned District Munsif Cum Judicial Magistrate, Srirengam, dated 27.05.2022 and set aside the same.



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CRL.R.C.(MD).No.785 of 2025

For Petitioner : Mr.C.Vakeeswaran
Advocate
For Respondent : Miss.Muthulakshmi
for C.Suresh Kannan

ORDER : The Court made the following order :-

This Criminal Revision Case has been filed seeking to set aside the order dated 27.03.2025 passed in Criminal Revision No. 68 of 2022 on the file of the 1st Additional District and Sessions Court (PCR), Tiruchirappalli, which has reversed the order dated 27.05.2022 passed in M.C. No. 4 of 2020 by the District Munsif-cum-Judicial Magistrate, Srirengam.

2.The learned counsel appearing for the petitioner submits that, more than the order itself, the manner in which it has been understood by the learned Trial Court is causing a lot of difficulties. To appreciate the above submission, it is relevant to extract the operative portion of the order, which is the subject matter of the revision before this Court. The relevant portion reads as under:



CRL.R.C.(MD).No.785 of 2025

31. Therefore, in the interest of justice, this Court is inclined to allow the criminal revision and to set aside the ex-parte order issued against the revision petitioner in order to give one more opportunity with the following conditions. It would be just and necessary to direct the petitioner to pay half of the monthly maintenance amount as ordered by the trial Court from the date of filing the petition ie., from 29.01.2020 to the date of the order on 27.05.2022, which is Rs.5,000/- (Rs. 10,000/- awarded by the trial Court) and Rs. 3,000/- (Rs.6,000/- awarded by the trial Court) to the second respondent till the disposal of the maintenance case before the trial Court.

In the result, the impugned order of the trial Court granting maintenance of Rs.10,000/- to the first respondent and Rs.6,000/- to the second respondent along with other maintenance amounts as per the order dated 27.05.2022 will be set aside on payment of 50% of the past arrears of maintenance amounting to Rs.15,98,000/- on or before 23.04.2025, directly to the respondents bank accounts proof of payment must be submitted to this Court, failing which this revision petition shall stand dismissed. Call on 23.04.2025.



CRL.R.C.(MD).No.785 of 2025

In the event of this Criminal revision being allowed on 23.04.2025, the order of the District Munsif-Cum-Judicial Magistrate regarding quantum of monthly maintenance till the disposal of Maintenance Case No.4 of 2020 is reduced as Rs.5,000/- for the first respondent and Rs.3,000/- for the second respondent.

3.From a careful reading of the above portion, it leaves no room for doubt that the said order, passed in the revision petition filed for setting aside the ex-parte order, required the District Munsif-cum-Judicial Magistrate, Srirengam, to dispose of M.C.No.4 of 2020. It is submitted that pursuant to the order dated 27.03.2025, the above condition has also been duly complied with and the same is not in dispute. The only aspect causing concern is the trial Court's understanding of the scope of the direction in paragraph No.31 of the order dated 27.03.2025. While it is the case of the petitioner that, in terms of the above directions, the maintenance case ought to be taken and disposed of by the District Munsif-cum-Judicial Magistrate, Srirengam, there is a reluctance on the part of the District Munsif-cum-Judicial Magistrate, Srirengam, to even take up the said matter.



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CRL.R.C.(MD).No.785 of 2025

4.The learned counsel appearing for the respondent pointed out that the above paragraph cannot be understood in any other manner. He further submitted that it contains a clear direction to the District Munsif-cum-Judicial Magistrate, Srirengam, to dispose of the maintenance case in M.C. No. 4 of 2020. It is further submitted that the above condition has been duly complied with.

5.This Court only proposes to clarify that the order dated 27.03.2025, upon compliance with the condition set out therein, required the District Munsif-cum-Judicial Magistrate, Srirengam, to dispose of the maintenance case in M.C. No. 4 of 2020.

6.In view of the above, the learned District Munsif-cum-Judicial Magistrate, Srirengam, is directed to dispose of the maintenance case in M.C.No.4 of 2020 preferably within a period of six months from the date of receipt of a copy of this order.



CRL.R.C.(MD).No.785 of 2025

7. With the above directions, this Criminal Revision Case stands disposed of.

01.12.2025

vsg

To

1. The 1st Additional District
and Sessions Court (PCR),
Tiruchirappalli.

2. The District Munsif Cum Judicial Magistrate, Srirengam.



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CRL.R.C.(MD).No.785 of 2025

MOHAMMED SHAFFIQ,J.,

vsg

ORDER
in
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