



CRL.R.C.(MD)No.1199 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 16.09.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CRL.R.C.(MD)No.1199 of 2025

and

CRL.M.P.(MD)No.11608 of 2025

Balashanmugam

... Petitioner

vs.

1.Sumathi

W/o.Balashanmugam,

62, Othaveedu, Keelarangiyam,

Allinagaram Post, Thiruppuvanam, Sivagangai District.

2.Minor B.Gokulraj,

S/o.Balashanmugam,

62, Othaveedu, Keelarangiyam,

Allinagaram Post, Thiruppuvanam,

Sivagangai District.

3.Minor B.Kaleeswaran,

S/o.Balashanmugam,

62,Othaveedu, Keelarangiyam,

Allinagaram Post, Thiruppuvanam,

Sivagangai District.

(The respondent Nos.2 and 3 are represented
through the respondent No.1)

... Respondents



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PRAYER: Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, 2023, to call for the records of the learned District Munsif-cum-Judicial Magistrate, Thiruppuvanam in M.C.No.4 of 2022 and to set aside the order, dated 30.05.2025 and allow the Criminal Revision.

For Petitioner :Mr.P.Saravanakumar

For Respondent :Mr.A.Karthick

ORDER

Heard Mr.P.Saravanakumar, learned Counsel for the Petitioner.

2.This Criminal Revision Petition has been filed by the petitioner against the impugned judgement and order, dated 30.05.2025 passed in M.C.No.4 of 2022 on the file of the District Munsif-cum-Judicial Magistrate Court, Thiruppuvanam, by which the first respondent/wife was awarded Rs.4,000/-per month, and the respondents 2 and 3 were awarded Rs.5,000/- each per month as maintenance.

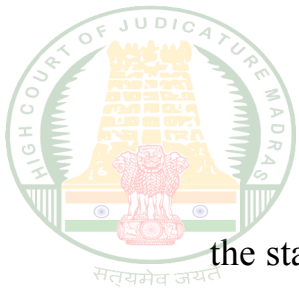
3.Mr.P.Saravana Kumar, learned Counsel appearing for the petitioner submits that the petitioner and the first respondent are husband and wife. The marriage between the petitioner and the first respondent



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was solemnized on 10.09.2004. Due to difference of opinion, they are living separately and the first respondent has filed a petition in M.C.No.4 of 2022 under Section 125 of Cr.P.C before the District Munsif-cum-Judicial Magistrate Court, Thiruppuvanam, seeking maintenance and the learned District Munsif-cum-Judicial Magistrate, Thiruppuvanam, vide judgment and order, dated 30.05.2025, awarded Rs.4,000/- per month as maintenance to the first respondent and Rs.5,000/- per month each to the respondents 2 and 3, in total Rs.14,000/- per month.

4.The learned Counsel for the petitioner further submits that the petitioner is working as a coolie and receiving only a meager salary and is, therefore, unable to pay a sum of Rs.14,000/- per month towards maintenance to the respondents. He further submits that the learned District Munsif-cum-Judicial Magistrate, Thiruppuvanam, had failed to consider that the first respondent/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. However, the learned District Munsif-cum-Judicial Magistrate, Thiruppuvanam, after recording

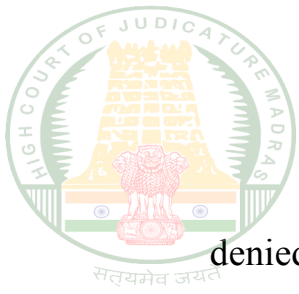


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the statements of the contesting parties, without properly appreciating the facts and evidence available on record, allowed the application filed by the respondents and awarded a sum of Rs.4,000/- per month as maintenance to the first respondent and Rs.5,000/- per month each to the respondents 2 and 3, in total Rs.14,000/- per month.

5. I have considered the submission of the learned Counsel for the petitioner 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.14,000/- per month to the respondents, 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



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denied. The fact that the petitioner is the husband of the first respondent, 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 stands closed.

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

16.09.2025

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To

The District Munsif-cum-Judicial Magistrate, Thiruppuvanam.

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SHAMIM AHMED, J.

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