



Crl.R.C.(MD)No.1032 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2025

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C.(MD)No.1032 of 2024

and

Crl.M.P(MD)No.5465 of 2025

S.Abuthakeer

... Petitioner/Respondent/Respondent

Vs.

1.S.Faritha Fathima

2.Minor.Roopina Banu

... Respondents/Petitioners/Petitioners

PRAYER : Criminal Revision Case filed under Section 438 r/w 442 B.N.S.S., to call for the records and set aside the order passed in Crl.M.P.No.191 of 2024 in M.C.No. 56 of 2014 dated 06.09.2024 passed by the learned Judicial Magistrate Court, Aruppukottai.

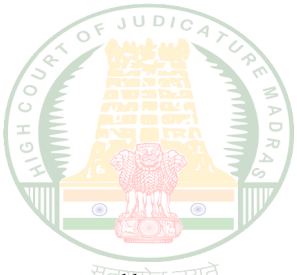
For Petitioner : Mr.R.Priyanka Jothi

For Respondents : Mr.C.M.Arumugam

ORDER

Recording the petitioner's statement that he will never ever pay any maintenance amount and he is even ready to go to jail if the learned Trial Court is inclined to do that and he also categorically pointed out to the learned Trial Court that the Court cannot detain him for more than a month, the learned Trial Court had detained him to judicial custody. Challenging the same, this criminal revision case has been filed.

(*)2. The Legal Aid has engaged Advocate M/s.R.Priyanka Jothi as his counsel and she had persuaded his mind about his responsibility and having made such a



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callous statement before the learned Trial Court, now he has shown his bona fide by drawing a demand draft for an amount of Rs.2,00,000/- in favour of the 1st respondent/wife. Reposing faith on him that even in future, he will realize his responsibility and he will duly settle the entire arrears amount within a span of one year, this Court set asides the impugned order in Crl.M.P.No.191 of 2024 in M.C.No. 56 of 2014 dated 06.09.2024, with a direction that the petitioner should pay the balance arrears of maintenance within a period of one year in two installments, i.e., first installment at 1st February 2026 and the second installment at 1st August, 2026. If he fails to comply this order, the impugned order will be restored and the learned Judicial Magistrate is at liberty to take action in accordance with law.

3. Accordingly, this Criminal Revision Case is allowed. The petitioner is hereby acquitted and shall be released from jail. Consequently, connected Miscellaneous Petition is closed.

Sd/-

01.08.2025

(*)Paragraph 2 and 3 are Substituted as per order of this Court dated 06/08/2025 made in CRL RC(MD)No.1032 of 2025.

Sd/-

Assistant Registrar (AS)

// True Copy //



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06/08/2025

Sub Assistant Registrar
(Vigilance)

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To

- 1.The Judicial Magistrate,
Aruppukottai.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
3. The Section Officer,
Criminal Section (Records),
Madurai Bench Of Madras High Court,
Madurai.

Copy To

- 1.The Superintendent,
Central Priso,
Madurai.

+1 CC to M/s.C.M.ARUMUGAM, Advocate (SR-48303[F] dated 01/08/2025)

Order made in
Crl.R.C.(MD)No.1032 of 2024
Dated: 01.08.2025

SL (06.08.2025)/3P/ 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.