



CRL.R.C.(MD)No.1365 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 29.10.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CRL.R.C.(MD)No.1365 of 2025

and

CRL.M.P.(MD)No.15129 of 2025

S.Niruban,
S/o.V.Sandhanakrishnan,
39/41, Mendonsa Colony,
Mengles Road, Nagalpudhur
Dindigul.

... Petitioner

VS.

1.T.Vidhya,
D/o.N.Thiruvengkatam,
W/o.S.Niruban,
25A- Nagar Nagar Pudur
5th Street, Dindigul District.

2.Minor. Harshan Krishna,
S/o.Niruban,
25A- Nagar Nagar Pudur
5th Street, Dindigul District.

... Respondents

(The 2nd respondent is represented through his Mother/1st respondent)

PRAYER: Criminal Revision Case is filed under Section 438 r/w 442 of BNSS, 2023, to call for the records and set aside the order, dated 30.05.2025 made in M.C.No.42 of 2024 on the file of the Family Court,



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Dindigul.

For Petitioner :Mr.G.Gomathisankar

ORDER

This Criminal Revision Petition is directed against the impugned judgement, dated 30.05.2025 passed in M.C.No.42 of 2024 on the file of the Family Court, Dindigul, by which, the first respondent/wife was awarded Rs.4,000/- per month and the second respondent/son was awarded Rs.4,000/- per month towards maintenance, in total a sum of Rs.8,000/- per month.

2.Heard Mr.G.Gomathisankar, learned Counsel for the petitioner.

3.Mr.G.Gomathisankar, learned Counsel for the petitioner submits that the petitioner and the first respondent are husband and wife. The marriage between the petitioner and the first respondent was solemnized on 06.02.2017, according to Hindu Rites and Customs and out of their wedlock, they were blessed with a male baby, namely, Harshan Krishna, who has been arrayed as second respondent in this petition. Due to



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difference of opinion, they are living separately and the respondents have filed a petition in M.C.No.42 of 2024 under Section 125 of Cr.P.C before the Family Court, Dindigul, seeking maintenance and the learned Family Judge, Dindigul, vide judgment, dated 30.05.2025, awarded a sum of Rs.4,000/- per month to the first respondent and Rs.4,000/- per month to the second respondent towards maintenance, in total a sum of Rs.8,000/- per month.

4.The learned Counsel for the petitioner further submits that the petitioner is receiving only a meager salary and is, therefore, unable to pay a sum of Rs.8,000/- per month towards maintenance to the respondents. He further submits that the learned Family Judge, Madurai, failed to consider that the first respondent 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. However, the learned Family Judge, Dindigul, after recording the statements of the contesting parties, without properly appreciating the facts and evidence available on record, erroneously allowed the application filed by the respondents and awarded a sum of Rs.4,000/- per month to the first respondent and



Rs.4,000/- per month to the second respondent towards maintenance, in total a sum of Rs.8,000/- 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.8,000/- 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 denied. The fact that the petitioner is the husband of the first respondent, has not been denied.



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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 and the learned Family Judge, Dindigul, is directed to proceed the matter in accordance with law for recovery of the arrears amount and pay the same to the respondent. Consequently, connected Miscellaneous Petition stands closed.

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

29.10.2025

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To

The Judge, Family Court, Dindigul.



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SHAMIM AHMED, J.

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