



CrL.R.C.(MD)No.720 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CrL.R.C.(MD)No.720 of 2025

Velumurugan

... Petitioner

-VS-

1.Vinothini

2.Minor Akshatra Rep. By mother and guardian,
1st petitioner herein

... Respondents

PRAYER : Criminal Revision Case is filed under Section 397 and 401 of Cr.P.C., 1973, to call for the records pertaining to the order passed in CrL.M.P.No.850 of 2023 in M.C.No.18 of 2020, passed by the learned Family Court, Tiruchirappalli, dated 02.04.2024, to set aside the same.

For Petitioner

: Ms.S.Prabha

For Respondents

: Mr.T.Vadivelan

ORDER

Challenging the order passed in Cr.M.P.No.850 of 2023 in M.C.No.18 of 2020 dated 02.04.2024, on the file of the learned Judge, Family Court, Tiruchirappalli, this Criminal Revision Case is filed.

2.The petitioner husband has filed a petition under Section 126(ii) of Cr.P.C., on 31.05.2023, seeking to set aside the exparte order passed as



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against the petitioner husband, directing him to pay a monthly maintenance of Rs.13,000/- to the respondent wife. However, the learned Trial Court dismissed the same by calling the petitioner husband absent and recording that there is no representation on behalf of him on 02.04.2024. Challenging the same, this Criminal Revision Case is filed.

3.The learned counsel appearing for the petitioner submitted that the total arrears of maintenance is Rs.8,45,000/-, of which he has made a substantial payment and only an amount of Rs.3,15,000/- is remaining to be paid. However, the learned Trial Court ought not to have dismissed the application made by the petitioner to set aside the exparte order for not being represented through the counsel and for the inadvertance of the Trial Court advocate, he should not have been punished and pressed for allowing the Revision Case.

4.Per contra the learned counsel appearing for the respondents categorically contended that the petitioner husband is working as a Clerk in the Bharathidasan University and he is drawing a substantial amount of salary and the amount of maintenance which is granted is only Rs. 13,000/-. The same being a reasonable amount, the impugned order need not be interferred. He further pointed out that even now there is a pending arrears of Rs.3,15,000/- and pressed for dismissal of the Criminal Revision Case.



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5.Heard the learned counsels on either side and carefully perused the materials available on record.

6.This Court hereby direct the petitioner to pay the remaining amount of Rs.3,15,000/- within a period of four weeks from the date of receipt of copy of this order. Accordingly, the impugned order is set aside with a precise observation that in failure to pay the arrears of maintenance of Rs.3,15,000/- within a period of four weeks from the date of receipt of copy of this order, the impugned order will be restored.

7.In view of the above, this Criminal Revision Case is allowed. No Costs.

07.08.2025

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

To

1.The Judge, Family Court,
Trichy District.



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L.VICTORIA GOWRI, J.

Mrn

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