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CRL RC No. 2350 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-06-2026

CORAM

THE HON'BLE MR.JUSTICE SHAMIM AHMED

CRL RC No. 2350 of 2025

1. R. Sharanya, D/o. R. Ravichandran,
2. Minor P.S. Tharun Sai, S/o. Mr.R.B. Prasath
Rep by his natural Guardian, Mother 1st
Petitioner, Both are residing at
No.9/7, Sivan Street, Rajaji Nagar,
Villivakkam, Chennai-600049.

..Petitioner(s)

Vs

R.B.Prasath, S/o. Mr. Balakrishnan,
JJ Ravi Nagar, First Cross Street,
Arakkonam Road, Near CSI School,
Tiruttani-631209.

..Respondent(s)

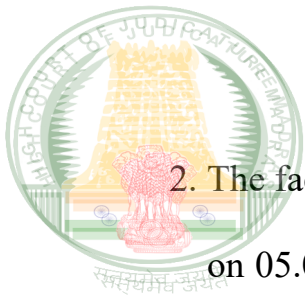
Prayer: To call for the records relating to the order passed by the learned Principal Judge, Family Court, Chennai in M.C.No.638 of 2022 dated 21.07.2025 and set aside the order and consequently enhance the quantum of maintenance.

For Petitioner(s): Ms.S.Mythreye Chandru for Mr.K.Chandru

For Respondent(s): Ms.G.Ramapriya

ORDER

1. This Criminal Revision Case is filed to call for the records relating to the order dated, 21.07.2025, passed by the Principal Judge, Family Court, Chennai, in MC.No.638 of 2022 and to set aside the same and consequently to enhance the quantum of maintenance.



2. The facts of the case are that the 1st Petitioner and the Respondent got married on 05.03.2012 and out of their wedlock, a male child/2nd Petitioner was born to them. Due to matrimonial dispute, they got a decree of mutual divorce in OP.No.2894 of 2021 on 06.09.2021. The male minor child was affected with “Autism Spectrum Disorder” and the male child is presently residing with his mother/1st Petitioner. Thereafter, the Petitioners had filed a petition in MC.No.638 of 2022, before the Principal Judge, Family Court, Chennai, seeking maintenance. By the impugned order, dated 21.06.2025, the court below had awarded a maintenance of Rs.15,000/-, including all expenses, to the 2nd Petitioner and also a sum of Rs.5,000/- towards litigation expenses. Aggrieved by the same, this Criminal Revision Case has been filed for enhancement of the quantum of compensation.
3. This Court heard Ms.S.Mythreye Chandru for Mr.K.Chandru, the learned counsel for the Petitioners and Ms.G.Ramapriya, the learned counsel for the Respondent and considered their submissions and also perused the entire materials placed on record.
4. (1) The 1st Petitioner/R.Sharanya/Mother of the 2nd Petitioner, (2) the minor male child, P.Tharun Sai/2nd Petitioner and (3) the Respondent, R.B.Prasath, father of the minor child are also present before this Court.
5. The learned counsel for the Revision Petitioners submitted that the 2nd Petitioner/minor child, P.Tharun Sai, was diagnosed with Autism Spectrum Disorder and also suffered 40% hearing loss. Thus, the child requires speech



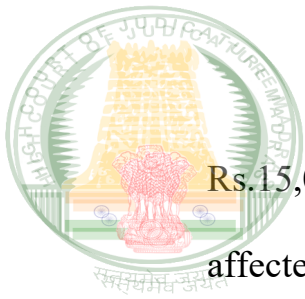
therapy, occupational therapy, behavioural support and specialised educational care, nutrition and other medical expenses, which demand

consistent financial resources. The Respondent is earning a sum of Rs.1,20,000/- p.m. Hence, the learned counsel prays this court to enhance the maintenance amount to Rs.30,000/- from Rs.15,000/- awarded by the court below.

6. On the other hand, the learned counsel for the Respondent submitted that apart from the maintenance of Rs.15,000/- as ordered by the court below, the Respondent is now ready to pay another sum of Rs.15,000/- p.m. in all, a sum of Rs.30,000/- p.m. towards the maintenance of the 2nd Petitioner/minor child, from the month of July 2026. The learned counsel further submits that the Respondent may be permitted to visit the child once in a week between 4.00 p.m. to 6.00 p.m. at a place near the house of the Petitioners and he may also be allowed to give some cloths, gift items and other edible items, which are not injurious to health of the minor child.

7. The learned counsel for the Petitioners submitted that the 1st Petitioner has also agreed to the proposal, increasing the maintenance amount to Rs.30,000/- for the minor child, made by the Respondent, father of the 2nd Petitioner.

8. The facts that the 1st Petitioner is the wife of the Respondent and that they got mutual decree of divorce and that the 2nd Petitioner is born to them, have not been denied. The amount fixed for maintenance by the court below was



Rs.15,000/- for the 2nd Petitioner, minor child, P.S.Tharun Sai, who was affected with Autism Spectrum Disorder. Further, the minor child certainly requires speech therapy, occupational therapy, behavioural support and specialised educational care, nutrition and other medical expenses, which demand consistent financial resources.

9. The said amount of maintenance of Rs.15,000/-, in the present days of rising prices and high cost of living, cannot be considered as sufficient and proportionate. The provisions of Section 125 of Cr.P.C are beneficial provisions, which are enacted to stop the vagrancy of a destitute wife/child and provide some succour to them, who are entitled to get the maintenance, which cannot be denied. Hence, the quantum of maintenance awarded by the court below is to be enhanced.

10. Accordingly, this Criminal Revision Case is disposed of, with the following directions:-

- i. The impugned order, dated 21.07.2025, made in MC.No.638 of 2022, passed by the Principal Judge, Family Court, Chennai, is modified to the effect that the Respondent, father of the 2nd Petitioner is directed to pay a sum of Rs.30,000/- p.m. on or before the Fifth Day of every month, starting from July 2026, towards the maintenance of the minor child, P.S.Tharun Sai, until further orders.
- ii. The Respondent, father of the 2nd Petitioner is given visitation rights of the minor child, once in a week, i.e. on Sunday, between 4.00 p.m. to 6.00 p.m. at a place within 500 meters from the house



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- of the 1st Petitioner, either at a Park, Mall or any good Restaurent.
- iii. The Respondent is also at liberty to give to the minor child cloths, gift items and other edible items for his love and affection, which are not injurious to health of the minor child, at the time of visiting the minor child.
- iv. The 1st Petitioner and her family member shall not create any hindrance in the meeting of the child and father.

15-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SRCM

To

1. The Principal Judge, Family Court, Chennai
2. The Public Prosecutor, Madras High Court, Chennai



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SHAMIM AHMED, J.

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