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Crl.R.C.No.2381 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2026

CORAM:

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.R.C.No.2381 of 2025

Suneel Boppana

...Petitioner

-Vs-

Nainika (minor)
Rep. By her mother and natural guardian
Harisha Cherukuru,
D/o C.Suresh Kumar,
B-803, KG Signature City,
Maduravoyal Bypass Road,
Chennai- 600 095.

...Respondent

PRAYER: Criminal Revision Petition is filed under Section 438 of BNSS Act, to set aside the order dated 07.11.2025 passed in Crl.M.P.No.1090 of 2025 in M.C.No.15 of 2022 on the file of the Judicial Magistrate no.II, Poonamallee and suspend the sentence of the petitioner and immediately release the petitioner from the Puzhal jail.

For Petitioner : Mr.S.Vedhavel
For Respondent : Ms.K.Balagayathri,



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ORDER

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The Revision has been filed challenging the warrant of imprisonment on failure to pay maintenance issued under Section 144 of the BNSS Act, 2023.

2. Admittedly, the petitioner was directed to pay a monthly maintenance of Rs.40,000/- in M.C.No.15 of 2022 to the respondent herein. Since there was arrears of Rs.14,80,000/- as on July 2024, the petitioner through her guardian filed Crl.M.P.No.1090 of 2025 seeking execution. In the said petition, the learned Judicial Magistrate had found that there was a wilful default by the petitioner and had directed the petitioner to undergo imprisonment for a period of one month. The petitioner challenges the said order.

3. When the matter was taken up for admission, this Court had granted interim stay on condition that the petitioner pays a sum of Rs.5,00,000/- to the respondent. The petitioner has paid the said amount. When the matter was earlier taken up for hearing, this Court directed the petitioner to pay further sum of Rs.3,00,000/-, which has also been paid. However, the petitioner has not paid the monthly maintenance from July 2025.



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4. Since the petitioner has paid a substantial amount of Rs.8,00,000/- out of the arrears of maintenance to the tune of Rs.14,80,000/-, this Court is inclined to pass the following orders;

1. The impugned order is set aside on the condition that the petitioner pays a sum of Rs.6,80,000/- in two installments; the first installment of Rs.3,40,000/- shall be paid on or before 27.02.2026. The second installment shall be paid on or before 27.03.2026, failing which the learned Magistrate will be at liberty to pass any orders for securing the payment.
2. It is needless to say that the petitioner ought to have paid the monthly maintenance from July 2025, and if the petitioner does not make the said payment, the respondent shall be at liberty to file a fresh application for execution.

5. With the above observations, the Revision is disposed of.

04.02.2026

Tsg



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SUNDER MOHAN, J.

Tsg

To

The Judicial Magistrate No.II,
Poonamallee.

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04.02.2026