

Crl.R.C(MD)No.1282 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.09.2025**

CORAM

THE HONOURABLE **MR.JUSTICE SHAMIM AHMED**

CRL.R.C.(MD)No.1282 of 2025
and
CRL MP(MD)No.13122 of 2025

1.R.Ananda Prakash,
S/o.Late Rajendran

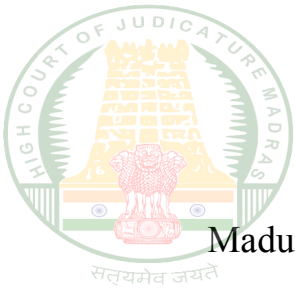
2.A.Ashwin,
S/o.R.Ananda Prakash

3.A.Gururaj
S/o.R.Anada Prakash

... Petitioners

vs.

A.Malarvizhi,
W/o.R.Ananda Prakash,
No.49,Railway Feeder Road,
East 1st Street,
Aruppukottai,
Virudhunagar District.
Temporarily Residing at
No.4/141,Lake Area,
Uthangudi,
Melur Main Road,
Madurai Town,



Madurai District.

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... Respondent

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PRAYER: Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, 2023, to call for the records pertains to the impugned order passed by the learned Family Court, Madurai in M.C.No.64 of 2019, dated 18.03.2025 and to set aside the same.

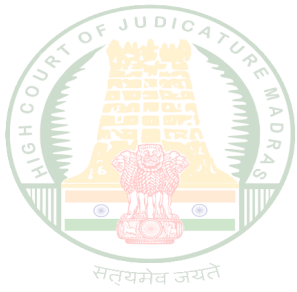
For Petitioners :Mr.N.TamilMani

ORDER

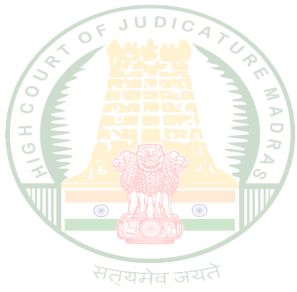
Heard Mr.N.TamilMani, learned counsel for the Petitioners. Since the Criminal Revision Petition is disposed of at the admission stage itself and in view of the order to be passed in this petition, notice to the Respondent is dispensed with.

2. This Criminal Revision Petition has been filed by the petitioner against the impugned judgement and order dated 18.03.2025 passed by Family Court, Madurai in M.C.No.64 of 2019 by which the Respondent was awarded Rs.21,000/-per month, as maintenance allowance.

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WEB COPY 3. Mr.N.TamilMani, learned counsel appearing for the Petitioners submits that the 1st Petitioner is the husband and the 2nd and 3rd Petitioners are sons of the 1st Petitioner and the Respondent. The marriage between the 1st Petitioner and the Respondent was solemnized on 07.011986. The Respondent herself deserted the Petitioners and left the matrimonial house voluntarily during the year 2015 and after 4 years only the Respondent filed Maintenance Case before the Family Court, Madurai claiming Rs.40,000/- as monthly maintenance and for the recovery of golden jewels weighing 290 sovereigns which are said to have been given as marriage gift and for recovery of Rs.5,00,000/- from the Petitioners herein. Thus, the Respondent has filed a petition in M.C.No.64 of 2019 under Section 125 of Cr.P.C before the Family Court, Madurai seeking maintenance and the Family Court vide order dated 18.03.2025 awarded Rs.21,000/- as monthly maintenance to the Respondent.

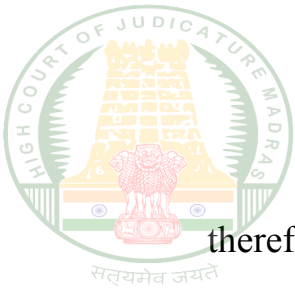


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4. The learned counsel for the petitioners further submits that the

1st Petitioner, who is over 60 years old, is suffering from health issues and is currently resting at home without any source of income. The 2nd Petitioner's income is meager, and he is struggling to manage his expenses, including purchasing medicines for his father, as well as taking care of his wife and children. The 3rd Petitioner, who is working in Bangalore, has an insufficient income to meet his own expenditures and often requires financial support from the 2nd Petitioner. It is also submitted that the Respondent has been living separately since 2015 and only filed the maintenance petition in 2019, nearly four years after the separation.

5. The learned counsel for the petitioner also submits that the respondent is a lady with sufficient means, as evidenced by her ability to maintain a car for personal use and employ a driver. He further submits that the Family Court failed to consider that the Respondent is residing separately from the Petitioners without any just or reasonable cause, and



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therefore, she is not entitled to claim maintenance from the Petitioners. It

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is also submitted that the Petitioners are willing to take care of the Respondent, who is their wife and mother. However, the Family Court, after recording the statements of the contesting parties, failed to properly appreciate the facts and evidence on record and partly allowed the application filed by the respondent, awarding her a sum of Rs. 21,000/- per month as maintenance.

6. I have considered the submission of the learned counsel for the Petitioners and also perused the record.

7. It is a well-established principle that it is a man's legal and moral duty to maintain his mother/wife during her life time. This responsibility stems from the inherent obligation of children to care for their parents. Similarly, it is the duty of the husband and children to provide for the wife and mother during her old age, ensuring she is supported and cared for. This duty is not only a moral imperative but also



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a legal obligation in many jurisdictions, where laws mandate that adult children provide financial support to their aging parents. By fulfilling this duty, individuals demonstrate respect, gratitude, and compassion towards their mothers, who have devoted themselves to nurturing and caring for their families. Ultimately, showing favour to one's mother and prioritizing her well-being in old age is a fundamental aspect of familial responsibility and societal values. By fulfilling this duty, individuals can ensure their mothers live their later years with dignity and care.

8. It is the social responsibility of the husband and sons to maintain their wife and mother, as the invaluable role and care of a mother cannot be compensated, no matter how much her children pay her back in a lifetime. Moreover, no amount of payment can ever bear the pain and sacrifices that a mother endured at the time of their birth.

9. In the present case, the learned counsel for the Petitioner has not been able to point out any such illegality or impropriety or incorrectness

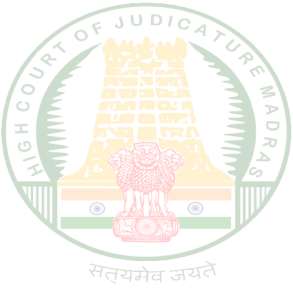


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in the impugned order which may persuade this Court to interfere in the same. The amount fixed for maintenance was Rs.21,000/- for the Respondent, which, in the present days of rising prices and high cost of living, cannot be considered excessive or disproportionate. The provisions of [Section 125](#) of Cr.P.C are beneficial provisions, which are enacted to stop the vagrancy of a destitute wife/mother and provide some succour to them, who are entitled to get the maintenance which cannot be denied. The fact that the 1st Petitioner is the husband of the Respondent and 2nd and 3rd Petitioners are sons of the 1st Petitioner and the Respondent, has not been denied.

10. 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.



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11. Thus, this Court does not find any merit in the Petitioner's case and the Family Court, Madurai had rightly passed the order in M.C.No.64 of 2019 dated 18.03.2025. In view of the above, this Criminal Revision Case is liable to be dismissed.

12. Accordingly, the Criminal Revision Petition lacks merit and stands **dismissed** and the Family Court, Madurai is directed to proceed the matter in accordance with law. Consequently, connected miscellaneous petition stands closed.

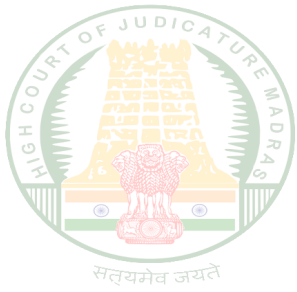
Index :Yes / No
Internet :Yes / No
NCC :Yes / No
Nsr

23.09.2025

To:

- 1.The Judge, Family Court, Madurai.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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SHAMIM AHMED, J.

Nsr

Order made in
CrI.R.C(MD)No.1282 of 2025

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