

Case Analysis On Smt. N. Usha Rani & Anr. V. Moodudula Srinivas

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Abstract

Within the framework of criminal jurisprudence, this case analysis examines the crucial legal question of whether women in void or de facto marriage partnerships are entitled to maintenance. It draws attention to the conflict that exists between formal legal definitions and the constitutional goal of guaranteeing gender fairness and social welfare. The case included denying support to a lady whose second marriage was deemed null and void because of the continuation of a previous marriage, even though there had been a long-term cohabitation, shared household life, and a child born. The analysis emphasizes how important it is to interpret statutory rules in a way that is both socially responsive and purposeful in order to safeguard economically dependent women and prevent destitution. It highlights that when evaluating maintenance claims, judges should base their decisions on the relationship's content rather than its official legal status. It reaffirms the constitutional principles of equality, social justice, and dignity in the resolution of family-related conflicts, the ruling represents a progressive and compassionate approach.

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1. INTRODUCTION

The issue of maintenance under criminal law has sparked intricate discussions at the nexus of personal law, constitutional duties, and social welfare, especially when it comes to women seeking maintenance in invalid or de facto marital partnerships. In India, where family ties frequently go beyond the rigid requirements of legal formality, many women find themselves in marital-like relationships without the legal acknowledgment that comes with them. Even if these women carry out the duties and obligations of a wife, they are still at risk of being abandoned and left penniless, particularly if the marriage is later deemed null and void because of legal errors or existing previous unions. The legislative framework, specifically Section 125 of the 1973 Code of Criminal Procedure, was implemented as a social justice tool to guarantee that women and children are not ignored or left in poverty¹. However, its interpretation frequently tends toward technical legality, which restricts its applicability and leaves out people who may need it the most. This sense of uncertainty is brought into stark relief by the case being examined. The

appellant was denied maintenance on the grounds that her second marriage was legally defective because she had not formally divorced her former husband, even though she had been in a long-term domestic partnership with the respondent. Relevant questions are brought up by this situation: Should women who have gotten married in good faith and lived together be included in the legal definition of "wife," or should it be interpreted narrowly in accordance with the legitimacy of marriage? More significantly, how should the law react when these kinds of unions are subsequently deemed invalid despite producing children and a shared household life? The case demands a jurisprudence that balances statutory interpretation with the constitutional objectives of equality, dignity, and social protection while also being cognizant of the lived reality of women.

2. BRIEF FACTS OF THE CASE

The facts pertain to a convoluted marital history and the assertion for maintenance under Section 125 of the CrPC. The appellant, Smt. Usha Rani, was married to Nomula Srinivas in

¹ Dixit, B. (2024). Maintenance under Section 125 CrPC: An analysis on its impact on gender equality and social justice in India. ISSN: 3048-5045; Vol 02 Issue 03; Jul-2025; Pg-12-15

1999 and subsequently gave birth to a son in 2000. Subsequent to marital difficulties, the pair separated upon their return from the United States and executed a Memorandum of Understanding (MoU) on November 25, 2005, consenting to terminate their marriage, despite the absence of a formal divorce decision². Subsequently, Usha Rani married her neighbor, Moodudula Srinivas (the respondent), on November 27, 2005. However, this marriage was pronounced null and void by the Family Court under Section 12 of the Hindu Marriage Act, 1956, due to the subsistence of her prior marriage. Notwithstanding this, the parties remarried on February 14, 2006, and their marriage was duly registered. They lived together and had a daughter in 2008. Subsequently, due to disagreements, Usha Rani lodged criminal complaints under Sections 498A, 406, 506, and 420 of the Indian Penal Code, as well as Sections 3 and 4 of the Dowry Prohibition Act against the respondent and his family. She additionally pursued maintenance pursuant to Section 125 of the Criminal Procedure Code. The Family Court granted her ₹3,500 per month and ₹5,000 for her daughter. The High Court, upon revision, affirmed support for the daughter but refused it to Usha Rani, citing her status as not being a lawfully wedded wife due to the absence of a formal divorce from her first husband. Aggrieved by this, she moved the Supreme Court, alleging that she had been in a de facto married connection with the respondent, who was aware of her past marriage, and that withholding her support would contradict the welfare object of Section 125 CrPC.

2.1 Provisions Involved

- Section 125 of the Code of Criminal Procedure, 1973 (CrPC)
- Section 12 of the Hindu Marriage Act, 1955
- Section 7 of the Family Courts Act, 1984
- Article 15(3) & Article 39 of the Constitution of India
- Section 17 of the Protection of Women from Domestic Violence Act, 2005

2.2 Issues Raised Before the Court of Law

- Whether a woman whose second marriage is declared void due to a subsisting first marriage is entitled to maintenance under Section 125 of the CrPC?
- Can the term “wife” under Section 125 CrPC be expansively interpreted to include a woman in a de facto marital relationship?
- Whether the respondent, who knowingly entered into a marital relationship with the appellant without insisting on legal dissolution of her first marriage, can later deny maintenance by taking shelter under legal technicalities?
- Whether the appellant was disentitled to maintenance merely because her earlier marriage had not been dissolved by a formal decree of divorce?
- Whether the denial of maintenance in such cases undermines the constitutional vision of social justice under Articles 15(3) and 39 of the Indian Constitution?

3. ARGUMENTS BY PARTIES

3.1 Petitioner's Contention

The appellant contended that she had been living in a married relationship with the respondent in good faith, she was entitled to maintenance under Section 125 of the CrPC even though her second marriage had been annulled. She said that despite being fully aware of her previous marriage, the respondent had married her twice and even had a child with her. The appellant made extensive use of the social justice³ and purposive interpretation theories supported by rulings such as *Chanmuniya v. Virendra Kumar*⁴ and *Rameshchandra Daga v. Rameshwari Daga*⁵, which acknowledged maintenance rights even in null and void or de facto marriages. She underlined that refusing her maintenance would unfairly enable the respondent to evade his moral and legal responsibilities after reaping the rewards of a married relationship, which is the exact purpose of Section 125 CrPC to prevent women from becoming destitute.

3.2 Respondent's Contention

The respondent contended that as the appellant did not meet the requirements to be considered a “legally wedded wife,” she was not entitled to maintenance under Section 125 of the CrPC. He argued that the appellant’s second marriage to Nomula Srinivas was void ab initio, rendering her ineligible for support under the Act, because her first marriage to him was never formally terminated by a divorce decision. The respondent cited the Supreme Court’s decisions in *Savitaben Somabhai Bhatiya v. State of Gujarat*⁶ and *Yamunabai Anantrao Adhav v. Anantrao Shivram Adhav*⁷, where the Court unequivocally declared that a woman whose marriage is void because of the continuation of a previous marriage is not a “wife” under Section 125 CrPC. Regardless of whether the husband knew about the prior marriage or not, he further contended that the term “wife” must be rigidly defined in accordance with the legislative objective, which denies maintenance rights to women in void or bigamous marriages.

4. JUDICIAL REASONING

4.1 Maintenance entitlement under Section 125 CrPC despite void second marriage

The Court determined that the social justice goal of Section 125 CrPC necessitates a positive interpretation, particularly in cases where a woman has been abandoned following a protracted, marriage-like relationship. The Court stressed that the goal of preventing women from poverty cannot be overridden by the technical illegality of the appellant’s second marriage, even though it was ruled null and void because of the continuation of her previous marriage. The clause is not subject to the strictures of personal law; rather, it is a social welfare measure. Invoking the Doctrine of

² Sinha, A. (2025, February 8). Case study: Smt. N. Usha Rani and Anr v. Moodudula Srinivas. Legal Wires. <https://legal-wires.com/case-study/case-study-smt-n-usha-rani-and-anr-v-moodudula-srinivas/>

³ Dixit, B. (2024). Maintenance under Section 125 CrPC: An analysis on its impact on gender equality and social justice in India. *Indian Journal of Law and Legal Research*, ISSN: 2582-8878 Vol 4 Issue 1

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⁴ Chanmuniya v. Virendra Kumar Singh Kushwaha (2011) 1 SCC 141

⁵ Rameshchandra Rampratapji Daga v. Rameshwari Rameshchandra Daga (2005) 2 SCC 33

⁶ Savitaben Somabhai Bhatiya v. State of Gujarat (2005) 3 SCC 636

⁷ Yamunabai Anantrao Adhav v. Anantrao Shivram Adhav (1988) 1 SCC 530

Beneficial Construction⁸, the Court held that laws meant to provide socioeconomic relief must be construed to provide protection for the harmed party. It recognized that changing criminal law must not permit procedural inconsistencies to override fundamental fairness, particularly where the connection in question satisfies every necessary requirement for a marriage bond. The lived experience of reliance and abandonment, not just the legality of solemnization, must serve as the basis for the recognition of such relationships under Section 125 CrPC. The judiciary reiterated that the provision's goal is aid and subsistence, not marital certification.

4.2 Interpretation of term "Wife"

The Court reaffirmed that the term "wife" in Section 125 CrPC must be defined widely to include even women in de facto marriages or those who have performed a marriage ceremony in good faith, citing *Channuniya*⁹ and *Badshah*¹⁰ as support. The goal is to stop poverty and vagrancy, not to provide status. The Court noted that when addressing maintenance claims, rigorous evidence of a lawful marriage is not required, particularly when the connection is recognized, long-lasting, and childbearing. The definition of "wife" under Section 125 CrPC has been expanded to reflect the evolving nature of family relationships in Indian culture. Previously it covers women who are lawfully married or divorced who has not remarried¹¹. Even if the marriage is later ruled null and void, the word must encompass a woman who has genuinely accepted the position of a wife according to the concept of advantageous construction. The emphasis on preventing exploitation and advancing justice for underprivileged women, who are frequently left unprotected by formal legalities, is a reflection of a transition in criminal jurisprudence from a strict textualist approach to a purposive and welfare-oriented paradigm.

4.3 Respondent's actions and knowledge of the appellant's first marriage

The Court pointed out that the respondent chose to marry the appellant twice, live with her, and father a child while being fully aware of her previous marriage. The respondent's attempt to use a legal loophole to avoid financial obligation after reaping the benefits of a marriage was denounced by the court. According to the ruling, allowing such arguments would be equivalent to approving the legal exploitation of women under false pretenses. The Court underlined that permitting the respondent to avoid accountability would create a risky precedent in which males could take advantage of women by willingly engaging into committed long-term relationships and then renouncing them for legal reasons. The ideas of growing criminal law, which increasingly lay the responsibility of care and financial support on individuals who have benefited from conjugal companionship, are incompatible with such behavior. It maintained that rather than serving as a passive witness to

injustice concealed behind procedural validity, the law must address the reality of manipulation and ill faith.

4.4 Implications of the first marriage's lack of a formal divorce

The Court set this case apart from previous rulings such as *Yamunabai*¹² and *Savitaben*¹³, noting that those rulings did not include a claim of mutual dissolution or de facto separation, in contrast to this case, in which the appellant and her first husband had signed a Memorandum of Understanding. She had been living apart for years and was not getting any benefits from the prior marriage. Therefore, in cases where the husband was not fighting the factual relationship, the absence of a decree was insufficient to deny maintenance. The Court argued that when the social fabric of the first marriage has long since broken down, the criminal justice system shouldn't be used as a weapon to continue denying relief on the basis of technicalities. It concluded that in these situations, it is not only acceptable but also required to construe statute provisions in a constructive way. When the spouses' actions and the passage of time demonstrate a definite end to matrimonial duties, a formal decree shouldn't be considered the only factor in determining whether a marriage is final. This is a significant shift in criminal law, as courts now evaluate eligibility for relief based more on substance than form.

4.5 Upholding social fairness and constitutional values

The Court emphasized that Indian homemakers, who are frequently economically reliant, should have legal protection by relying largely on Articles 15(3) and 39 of the Constitution. It recognized the financial vulnerability of non-earning wives, especially homemakers, citing *Kirti v. Oriental Insurance Co*¹⁴ and *Mohd. Abdul Samad v. State of Telangana*¹⁵. In order to support women's rights to housing and dignity in home contexts, it also cited *Prabha Tyagi v. Kamlesh Devi*¹⁶. In order to support societal stability, safeguard women, and fortify families, upkeep had to be upheld here. The criminal justice system must function as a facilitator of constitutional morality¹⁷, the Court said. The fundamental constitutional protections of equality and dignity are weakened when women in de facto marriages are denied maintenance. The Court's reasoning reflects a developing body of criminal jurisprudence that emphasizes socioeconomic justice¹⁸ and uses the law as a tool to uphold the rights of those who are most vulnerable. The judiciary emphasized through this interpretation that maintenance is a constitutional entitlement and not charity, and that legal interpretation must be in line with that more general moral objective.

5. COMMENT ON THE JUDGMENT

By granting maintenance to a woman in a de facto marriage, the Supreme Court has, in my judgment, rightfully upheld the spirit of social fairness. The ruling prioritizes substance above technical form, reflecting a realistic and

⁸ Shekhar, S. (2020). Principle of beneficial construction: Nature and scope. *International Journal of Law Management & Humanities*, 3(3), 702–721

⁹ *Channuniya v. Virendra Kumar Singh Kushwaha* (2011) 1 SCC 141

¹⁰ *Badshah v. Urmila Badshah Godse* (2014) 1 SCC 188

¹¹ GN, P. (2023, May 17). Critical analysis of order for maintenance of wife, children and parents in CrPC (SSRN Scholarly Paper No. 4468332). SSRN. <https://doi.org/10.2139/ssrn.4468332>

¹² *Yamunabai Anantrao Adhav v. Anantrao Shivram Adhav* (1988) 1 SCC 530

¹³ *Savitaben Somabhai Bhatiya v. State of Gujarat* (2005) 3 SCC 636
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¹⁴ *Kirti v. Oriental Insurance Co. Ltd.*, (2021) 2 SCC 166

¹⁵ *Mohd. Abdul Samad v. State of Telangana* (2024) SCC OnLine SC 1686

¹⁶ *Prabha Tyagi v. Kamlesh Devi*, (2022) 8 SCC 90

¹⁷ Singhal, I. (2023). Spousal maintenance in India: An analysis. *Indian Journal of Law and Legal Research*, 5(11). ISSN: 2582-8878

¹⁸ Dixit, B. (2023). Maintenance under Section 125 CrPC: An analysis on its impact on gender equality and social justice in India. *Indian Journal of Law and Legal Research*, ISSN: 2582-8878 Vol 4 Issue 1

evolving reading of Section 125 CrPC. It would have continued to be unfair and vulnerable to deny maintenance because there was no legal divorce. The appellant's entitlement was further supported by the respondent's deliberate involvement and the presence of a child. The legal protections afforded to economically and socially disadvantaged women are further reinforced by this ruling. It acknowledges the sacrifices made by stay-at-home moms and upholds their entitlement to financial stability and dignity. All things considered, the decision establishes a compassionate standard that strikes a compromise between social realities and legal rationale. The primary objective of the Sec 125 CrPC is to prevent vagrancy and destitution¹⁹. This ruling serves as a crucial confirmation of the use of beneficial construction when interpreting welfare laws. The Court highlighted the term "wife" functional purpose in shielding dependents from poverty rather than limiting it to strict statutory boundaries. In the Indian context, where the sacredness of marriage is frequently lived in reality rather than only acknowledged on paper, this interpretive change is especially important. The Court's strategy demonstrates an awareness that laws, particularly those based on social welfare goals, must change to reflect shifting family dynamics and cultural norms. This guarantees that the law is not mired in technical rigidity but rather stays neutral to the demands of justice. The decision makes a substantial contribution to the development of a criminal jurisprudence that is neutral to gender²⁰. It opposes the propensity for people to abuse the law as a shield in order to avoid moral and legal accountability by claiming that there was a procedural flaw. The Court has made sure that the values of accountability, equity, and constitutional faithfulness are upheld by acknowledging the inherent injustices that women experience in void marriages, particularly those that are entered into in good faith. As a result, the ruling establishes a significant precedent for maintenance-related claims as well as for developing a body of law that protects weaker women from structural discrimination in the home.

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¹⁹ Shekhar, S. (2020, May). *Relevance of provisions of maintenance (for women) under Cr.P.C. PenAcclaims*, ISSN 2581-5504 Vol 10

6. CONCLUSION

The Supreme Court, by reinstating maintenance to the applicant, reinforced the concept that social assistance rules must be read broadly to protect vulnerable women. The verdict represents a developing attitude toward gender-neutral justice, acknowledging the realities of Indian marital relations. It cautions against allowing males to exploit legal gaps after freely establishing domestic relationships. The ruling distinguishes between procedural invalidity and actual marital experience. This case thus marks a significant step in widening the scope of matrimonial reliefs under CrPC. It emphasizes the constitutional mandate of equality, dignity, and protection for Indian homemakers. The Court's approach indicates a clear shift in the understanding of maintenance obligations under Section 125 CrPC toward beneficial construction. Instead, the ruling defines the term "wife" in light of its protective function, preventing statutory language from being used as a weapon against women. This guarantees that the law is not just a technical tool but also a safeguard for people who are economically and socially disadvantaged. Recognizing de facto relationships demonstrates the judiciary's dedication to bringing legislative intent into line with actual social circumstances, particularly for women who are left behind after long-term marriages.

Author Contribution

The author conceptualized the research, conducted the literature review and doctrinal analysis, drafted the manuscript, and finalised the article for submission.

Conflict of Interest

Conflict of interest declared none.

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²⁰ Afnan, S. (n.d.). *Maintenance of wife: Whether Section 125 CrPC needs to be gender-neutral*. *Indian Journal of Applied Law Review*, ISSN: 2582-7340J Vol 4 Issue 2