



CNR: KAHC010496032024

NC: 2026:KHC:46693
CRL.RP No. 1146 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.P.SANDESH

CRIMINAL REVISION PETITION NO.1146 OF 2024

BETWEEN:

1. SRI. JOTHI PADIAN S.,
S/O SRI SUBBAIAH PANDIAN
AGED ABOUT 60 YEARS
R/O NO.110, 2ND CROSS
VASTU LAYOUT
KUDLU, SINGASANDRA
BENGALURU-560 068.

...PETITIONER

(BY SMT. SUJA SURENDRAN, ADVOCATE)

AND:

1. AMUTHA J.,
W/O JOTHI PADNIAN
D/O LATE PANDARA THEVAR
AGED ABOUT 51 YEARS
R/O NO.148,
10TH MAIN, 14TH 'A' CROSS,
A.E.C.S LAYOUT 'A' BLOCK, KUDLU,
BENGALURU-560 068.

...RESPONDENT

(BY SRI. THEVAR KANNAN SUBBAIAH, ADVOCATE)

Digitally signed
by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA



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THIS CRL.RP IS FILED UNDER SECTION 397 R/W 401 OF CR.P.C (U/S 438 R/W 442 BNSS) PRAYING TO SET ASIDE THE ORDER PASSED BY THE SESSIONS JUDGE (CCH-57) DATED 25.04.2024 IN CRL.A NO.463/2023.

THIS PETITION COMING ON FOR ADMISSION THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE H.P.SANDESH

ORAL ORDER

Heard learned counsel for the revision petitioner and learned counsel for the respondent.

2. This revision petition is filed against the order of First Appellate Court passed in Criminal Appeal No.463/2023, wherein the First Appellate Court directed the petitioner to pay maintenance of Rs.15,000/- per month and the same is challenged before this Court. The First Appellate Court also directed to pay arrears of maintenance to the appellant within two months from the date of the order. In case, if he fails to do so, he shall pay interest at the rate of 6% per annum on arrears of maintenance.

3. Learned counsel appearing for the revision petitioner would submit that the petitioner is getting pension of



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only Rs.3,729/- per month. The counsel also would submit that the respondent herein herself is getting rent in respect of ground floor premises. The said submission is disputed by learned counsel appearing for the respondent and brought to notice of this Court the documents which have been placed before this Court and submits that the petitioner is getting interest and the retirement benefit is kept in Fixed Deposit and he is getting interest of more than Rs.65,000/- to Rs.80,000/- per month. This order of maintenance is only a stop-gap arrangement to pay maintenance during the pendency of the petition and the same is an interim-arrangement. It is also contended that the Trial Court earlier granted the maintenance at the rate of Rs.8,000/- per month and the same is enhanced by the First Appellate Court.

4. Learned counsel appearing for the respondent would submit that the respondent has not let out ground floor premises and the same is vacant. In view of the said submission, the revision petitioner is permitted either to occupy or let out the same. The respondent shall not cause any hindrance to the revision petitioner in doing the same and the



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revision petitioner is directed not to cause any harassment to the respondent, since she is occupying the first floor in the very same premises.

5. The revision petitioner is directed to pay maintenance of Rs.15,000/- per month as ordered by the First Appellate Court and he can get the rent from the ground floor premises or he himself can occupy the same. The revision petitioner is also directed to pay all the arrears of amount within two months as ordered by the First Appellate Court. If the amount is paid within two months from today with all arrears as ordered by the First Appellate Court from the date of application, no question of paying any interest and the said amount is payable in lump-sum within two months and the order of the First Appellate Court is modified to that extent regarding interest.

6. The Trial Court is directed to consider Crl.Misc.No.189/2022 and dispose of the same within six months. The revision petitioner as well as the respondent and their respective parties are directed to assist the Trial Court in



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disposal of the case within six months from the date of receipt of copy of this order.

With these observations, the revision petition stands disposed of.

Sd/-
(H.P.SANDESH)
JUDGE

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List No.: 1 SI No.: 26