

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

MONDAY, THE 20TH DAY OF JULY 2015/29TH ASHADHA, 1937

Crl.Rev.Pet.No. 512 of 2015

AGAINST THE JUDGMENT IN CRL.A NO.262/2014 of I ADDL. SESSIONS
JUDGE, PALAKKAD DATED 18-02-2015

AGAINST THE ORDER IN CRL.M.P NO.8045/2014 IN M.C NO.50/2014 OF
THE JUDICIAL FIRST CLASS MAGISTRATE COURT I, PALAKKAD DATED
7.7.2014

REVISION PETITIONER/APPELLANT/RESPONDENT:

PRASANTH.K, AGED 34 YEARS,
S/O.LATE KANDAYI,
KODAMTHODI HOUSE,
MATHUR VILLAGE, KUTHANUR,
PALAKKAD.

BY ADV. SRI.V.A.JOHNSON (VARIKKAPPALLIL)

RESPONDENT/RESPONDENT/PETITIONER & STATE:

1. NISHA.K, AGED 29 YEARS,
D/O.KUNCHAN, PULIYANKAD HOUSE,
PULINELLI P.O,
KOTTAYI, PALAKKAD - 678 542.
2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM - 682 031.

R1 BY ADV. SRI.JACOB SEBASTIAN
R2 BY PUBLIC PROSECUTOR SMT.S.HYMA

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR
ADMISSION ON 20-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

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P.UBAID, J.

Crl.R.P No.512 of 2015

Dated this the 20th day of July, 2015

O R D E R

The petitioner herein is the respondent in M.C No.50/2014 of the Judicial First Class Magistrate Court I, Palakkad. It is a proceeding brought for various reliefs under Section 12 of the Protection of Women from Domestic Violence Act (for short 'the Act'). In an application brought by the respondents herein under Section 23 of the Act as Crl.M.P No.8045/2014 the learned Magistrate granted a protection order, and also directed the revision petitioner herein to pay interim maintenance to his wife at the rate of ₹3,000/- per month. Aggrieved by the said order dated 7.7.2014, the revision petitioner approached the Court of Session, Palakkad with Crl.A No.262/2014. In appeal, the learned Additional Sessions Judge I, Palakkad confirmed the protection order, however modified the maintenance order and reduced the amount to ₹2,000/- per month. The husband is still aggrieved. The order of the appellate judge dated 18.2.2015 is under challenge in this

revision.

2. On hearing the learned counsel for the revision petitioner, and on a perusal of the impugned order, I find no scope for interference in the order passed by the appellate judge. It is not known how the revision petitioner is aggrieved by the interim order. When the trial court awarded ₹3,000/- per month, the learned appellate judge reduced it to ₹2,000/- per month. It is only an interim arrangement. Final decision is yet to be taken in the main proceeding. In the particular facts and circumstances the innocent protection order will not cause any harm or hardship to the revision petitioner. Let the dispute be finally adjudicated and decided in the main proceeding by the learned Magistrate. Till then the interim arrangement made by the court will have to continue. This revision petition does not merit consideration.

In the result, this Criminal Revision Petition is dismissed in limine without being admitted to files.

**P.UBAID
JUDGE**

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