

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 23RD DAY OF JANUARY 2015/3RD MAGHA, 1936

Crl.Rev.Pet.No. 181 of 2014 ()

AGAINST THE JUDGMENT IN CRL.A. NO.681/2012 OF ADDITIONAL SESSIONS
COURT-V, KOZHIKODE.

AGAINST THE ORDER IN CMP NO.1486/2012 IN MC. NO.32/2012 OF JUDICIAL
FIRST CLASS MAGISTRATE COURT-V, KOZHIKODE.

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REVISION PETITIONER/APPELLANT/RESPONDENT:

ABDUL MANAF C.P., AGED 30 YEARS,
S/O.MOIDEEN, PANDARAPARAMBA, PATHAMILE P.O.,
KUNNAMANGALAM, KOZHIKODE- 673 019.

BY ADVS.SRI.K.M.FIROZ,
SMT.M.SHAJNA,
SRI.S.KANNAN.

RESPONDENTS/RESPONDENTS/PETITIONER:

1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.

2. HAJARA E.P., AGED 22 YEARS,
D/O.MOOSA KOYA, EDASSERIPARAKKAL HOUSE,
P.O. PATHIRAKKAVU, KOZHIKODE - 673 019.

R1 BY PUBLIC PROSECUTOR SRI.JIBU P.THOMAS.
R2 BY ADV. SRI.DEVAPRASANTH.P.J.

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 23-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

**ANNEXURE A1 COPY OF THE RECEIPT ISSUED BY THE SECOND
RESPONDENT ACCEPTING RS.25000/- TOWARDS
ALLEGED DUES IN MC NO.32/2012 ON THE FILE OF
OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT-V,
KOZHIKODE.**

**ANNEXURE A1 (IN CRL.MA.2575/2014) : COPY OF THE RECEIPT FOR
RS.5000/- DATED 03/04/2013 ISSUED
FROM THE OFFICE OF THE JUDICIAL
FIRST CLASS MAGISTRATE COURT-V,
KOZHIKODE.**

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

B. KEMAL PASHA, J.

.....
Crl.R.P. No.181 of 2014
.....

Dated this the 23rd day of January, 2015

ORDER

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An amount of Rs.3,000/- per month was ordered as maintenance to be paid to the wife and Rs.2,000/- per month was ordered to be paid as maintenance to the child by the Judicial First Class Magistrate's Court-V, Kozhikode in CMP.1486/2012 in MC.32/2012. The same was unsuccessfully challenged by the petitioner herein, who is the respondent in the said CMP, before the Sessions Court, Kozhikode, through Criminal Appeal No.681/2012. The learned Sessions Judge concurred with the findings entered by the learned Magistrate and dismissed the appeal through the impugned order.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3. On going through the records and the concurrent orders passed by both the courts below in the matter, I do

not find any illegality, irregularity or impropriety in the orders passed by both the courts below. All the matters were considered by both the courts below. The learned Magistrate has made a detailed discussion regarding the true state of affairs. The same was fully concurred with, by the appellate court. The amounts ordered as maintenance are only meagre. The petitioner herein shall pay the amounts at the earliest. It has been reported that the entire arrears have not yet been cleared.

At the same time, considering the submissions made by the learned counsel for the petitioner, the petitioner is given an opportunity to pay the entire arrears in five equal monthly instalments. The court below shall dispose of the M.C. quite untrammelled by any of the observations made by me in this order. This Crl.R.P is dismissed with the said observations.

Sd/-  
**(B.KEMAL PASHA, JUDGE)**