

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1154 OF 2015

ORDER:

The petitioner has preferred the present criminal revision case by invoking the provisions under Sections 397 and 401 of Code of Criminal Procedure (Cr.P.C.,) being aggrieved by the order dated 16.04.2015 passed in Crl.M.P.No.158 of 2014 in M.C.No.19 of 2013 on the file of the Family Court cum IV Additional District and Sessions Judge's Court at Vijayawada, whereby the learned trial Judge allowed the said miscellaneous petition directing the petitioner herein to make interim monthly allowance of Rs.5,000/- (Rupees five thousand only) to the first respondent herein.

Heard and perused the material available on record.

Learned counsel for the petitioner submitted that the petitioner is not in a position to pay an amount of Rs.5,000/- and that the boy is aged only about 5 years and that the grant of maintenance of Rs.5,000/- is excessive.

Considering the facts and circumstances of the case, this Court, the criminal revision case is disposed with a direction that the petitioner shall pay an amount of Rs.2,500/- (Rupees two thousand five hundred only) per month as maintenance to the first respondent herein, till the disposal of the M.C.No.19 of 2013. The petitioner is also directed to pay entire arrears of maintenance calculating @ Rs.2,500/- per month on or before 30.09.2015. The trial Court is directed to pass appropriate orders after finally hearing the M.C., in accordance with law. The trial Court need not be influenced by this order and the trial Court can pass appropriate orders on merits of the case.

With the above directions, the Criminal Revision Case is disposed of. Consequently, the miscellaneous petitions pending in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

01.07.2015
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