

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2267 of 2015

ORDER:

This Criminal Revision Case is filed by the petitioner challenging the order, dated 23.09.2015, passed in Crl.M.P.No.1737 of 2015 by the Additional Judicial Magistrate of First Class, in crime No.175 of 2015 on the file of II-Town Police Station, Nellore.

Heard and perused the material available on record.

The brief facts of the case are that the 2nd respondent is the mother-in-law of the petitioner. The husband of the petitioner left the house in the month of June 2012, and his whereabouts were not known. The petitioner is staying along with her two children viz., daughter and son at Nellore. While so, the 2nd respondent lodged a complaint against the petitioner stating that the petitioner has arranged marriage of her daughter – D. Mounika, who is studying 10th class, with one Srinivas and basing on the said complaint, the above crime was registered and the custody of the victim girl was given to the 2nd respondent. The petitioner filed Crl.M.P. No.1737 of 2015 before the Court below seeking custody of her minor daughter. However, the Court below, by order, dated 23.09.2015, while dismissing the said application, ordered to send the victim girl to the Women and Child Welfare Department, Nellore. Challenging the said order, the present revision case is filed.

When the matter is taken up for hearing, the petitioner, who is present before this Court, submitted that she is ready to take care of her daughter, and she will not arrange for any marriage and she will allow her daughter to complete her studies.

In view of the above, this Court is inclined to pass the following order:

The petitioner is directed to give an undertaking before the Court below

stating that she will not arrange for the marriage of her daughter – D.Mounika, till she attains majority and also allow her daughter to complete her studies and also she will produce the victim girl as and when ordered by the Court below. Upon giving of such undertaking, the Court below shall direct the authorities concerned to give custody of the victim girl to her mother. If the petitioner commits breach of her undertaking, the trial Court is at liberty to proceed in accordance with law.

With the above directions, the Criminal Revision Case is disposed of. Miscellaneous petitions, pending if any, shall stand closed.

RAJA ELANGO, J

October 28, 2015.

KTL