

HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2719 of 2015

ORDER:

This criminal Revision Case is filed by the petitioner, under Sections 397 and 401 of Criminal Procedure Code, against order, dated 14.10.2015 passed in Crl.M.P. No.250 of 2015 in Crl.Appeal No.806 of 2015 by the II Additional District Judge, R.R. District, wherein the learned District Judge directed the petitioner to deposit the arrears of maintenance, as awarded by the Judicial Magistrate of First Class, Special Mobile Court, Cyberabad, L.B.Nagar, within a period of (15) days.

Heard and perused the material available on record.

The 1st respondent is the wife of the petitioner. She filed DVC No.10 of 2015 before the Judicial Magistrate of First Class, Cyberabad, L.B. Nagar. She also filed Crl.M.P. No.1348 of 2015 claiming interim maintenance at Rs.15,000/- per month, pending the main case. Learned Magistrate allowed the said application and directed the petitioner to pay maintenance at Rs.15,000/- per month to the 1st respondent and also to pay the arrears within one month from the date of that order. Challenging the same, the petitioner filed Crl.Appeal No.806 of 2015 and also Crl.M.P No.250 of 2015 to grant of stay of the order of the learned Magistrate, before the II-Additional District Judge, R.R. District. The learned District Judge allowed the said application and directed the petitioner to pay half of the maintenance amount in future, on condition of petitioner depositing the arrears amount of maintenance within (15) days. Challenging the same, the present revision case is filed.

Learned counsel for the petitioner submitted that the petitioner could not mobilize such a huge amount within the period as directed by the learned Sessions Judge, and he may be granted some time to deposit the arrears amount before the trial Court.

After hearing the arguments of both the learned counsel and after perusing the entire material on record, without going into the merits of the case, this Court is inclined to pass the following order:

The Criminal Revision Case is disposed of directing the petitioner to deposit the arrears amount of maintenance before the trial Court within a period of two (2) months from today. Miscellaneous Petitions, if any pending, shall stand closed.

RAJA ELANGO, J

November 16, 2015.

KTL