

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.R.C. No.530 of 2016

ORDER :

The petitioner preferred the present Criminal Revision Case by invoking the provisions under Sections 397 and 401 of the Code of Criminal Procedure being aggrieved by the Judgment dated 04-03-2015 passed in Crl.A.No.140 of 2013 by the Special Judge for Trial of Cases under S.Cs. & S.Ts. (PoA) Act-cum-IV Additional Sessions Judge, Kurnool, confirming the order dated 03-06-2013 passed in D.V.C.No.66 of 2012 on the file of the Special Judicial Magistrate of First Class (For Prohibition & Excise), Kurnool, whereby the trial Court directed the petitioner to pay maintenance of Rs.5,000/- per month and further directed that if the petitioner fails to provide alternative accommodation, he shall pay a sum of Rs.3,000/- per month towards rent for alternate accommodation and further the petitioner was directed to pay a compensation of Rs.2,00,000/- to the Respondent No.1 on account of the physical and mental distress suffered by her.

The said findings are concurrent in nature and the revision is filed challenging the said order.

This Court perused the records and heard the arguments.

Sri K.Suresh Reddy, the learned counsel for the petitioner, vehemently contended that the said amount of

maintenance and the compensation are excessive in nature and the petitioner has to maintain his father, mother and other members of the family and he also submitted that the petitioner allowed the Respondent No.1 along with his son to stay in the quarters allotted to him.

Per contra, Sri J.Janaki Rami Reddy, the learned counsel for the Respondent No.1, submits that the said amount is very meagre in nature. The Respondent No.1 intends to file enhancement petition before the trial Court.

Considering the said submissions and facts and circumstances of the case, the Court is of the view that there is nothing to interfere with the order passed by the trial Court and confirmed by the lower appellate Court. But, in any event, as far as compensation of Rs.2,00,000/- is concerned, the lower appellate Court directed the petitioner to pay it within a period of one month. The learned counsel for the petitioner submitted that the petitioner is not in a position to pay such huge amount in one instalment. Considering the same, the petitioner is allowed to pay the said compensation of Rs.2,00,000/- in three instalments starting from the month of March, 2016 to May, 2016.

Accordingly, the Criminal Revision Case is disposed of.

Miscellaneous petitions, if any, filed in this revision shall stand closed.

JUSTICE RAJA ELANGO

12th February, 2016

skmr