

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.3473 OF 2016

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ORDER:

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1. This petition is filed by the petitioner under Section 482 Cr.P.C. seeking to quash the proceedings against him in M.C.No.277 of 2015 on the file of the Additional Family Court, Nampally, Hyderabad.
 2. It is the grievance of the petitioner that his wife-2nd respondent, claimed abnormal amounts by filing the above M.C. and by suppressing the facts that too, her own admissions made in OP No.2 of 2015 on the file of the Additional Family Court, City Civil Court, Hyderabad, and that she got sufficient income to maintain herself and therefore, the above M.C. is not maintainable.
 3. Learned Counsel for the petitioner confined his argument with a prayer to give a direction to the trial Court to hear the petitioner regarding the maintainability of the M.C. case.
 4. Heard and perused the material available on record.
 5. Considering the facts and circumstances of the case and the nature of the proceedings, the Criminal Petition is disposed of with the following direction:

“The petitioner is at liberty to file a petition before the trial Court challenging the maintainability of M.C. before the trial Court. On such application being filed, the trial Court is directed to hear both the parties and pass appropriate orders, prior to proceeding with the above M.C. case.”

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

JUSTICE RAJA ELANGO

Date : 15.3.2016

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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 15.3.2016

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