

THE HON'BLE SRI JUSTICE RAJA ELANGO

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CRIMINAL PETITION No.3171 OF 2016

ORDER:

This Criminal is filed by the petitioner, under Section 482 Cr.P.C., challenging the order, dated 28.12.2015 in CrI.M.P. No.1206 of 2015 in M.C. No.337 of 2014 passed by the Additional Metropolitan Sessions Judge for the trial of JHCBBC cum Additional Family Court, Hyderabad, whereby the learned Judge directed the petitioner to pay Rs.6,000/- per month to the 2nd respondent and Rs.3,000/- each to the respondents 3 to 5 as interim maintenance.

The 2nd respondent is the wife and the respondents 3 to 5 are the children of the petitioner. They filed M.C. No.337 of 2014 before the Court below seeking maintenance. They also filed CrI.M.P. No.1206 of 2015 before the Court below against the petitioner seeking interim maintenance at Rs.10,000/- per month each to the respondents 2 to 5, pending disposal of the maintenance case. The Court below partly allowed the said application granting interim maintenance at Rs.6,000/- per month to the 2nd respondent and Rs.3,000/- per month each to the respondents 3 and 4. Aggrieved by the same, the present petition is filed.

Heard and perused the material available on record.

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Having regard to the facts and circumstances of the case, without expressing any opinion on the merits of the case, this Criminal Petition is disposed of modifying the impugned order, as follows:

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The petitioner is directed to pay interim maintenance at the rate of Rs.3,000/- per month to the 2nd respondent and Rs.1,500/- each to the respondents 3 to 5 from the date of the above application till disposal of M.C. He is directed to pay the said maintenance amount

on or before 10th of every succeeding month and also the arrears if any, calculating at the same rate, within three months from the date of receipt of a copy of this order. The trial Court is directed to dispose of the M.C., as expeditiously as possible without being influenced by this order and the impugned order.

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Accordingly, the Criminal Petition is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

March 11, 2016.
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