

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.6490 OF 2016

-
ORDER:

-
This petition is filed by the petitioner under Section 482 Cr.P.C. seeking to quash the order dated 4.4.2016 passed in CrI.M.P.No.372 of 2013 in M.C.No.3 of 2008 by the Additional Judicial First Class Magistrate, Giddalur.

Heard and perused the material available on record.

The 2nd respondent, who is the wife of the petitioner, filed M.C.3 of 2008 on her behalf and on behalf of her children-respondents 3 and 4. The trial Court granted maintenance to respondents 3 and 4 at the rate of Rs.1,500/- each per month. Aggrieved by the same, the petitioner filed CRP No.30 of 2011 before the VI Additional District & Sessions Judge, Markapur. The learned Additional District & Sessions Judge reduced the maintenance awarded to respondents 3 and 4 by the trial Court to that of Rs.1,000/- each per month. As the petitioner failed to pay the maintenance, the 2nd respondent filed the above CrI.M.P. on behalf of her children-respondents 3 and 4 for recovery of arrears of maintenance. On 4.4.2016, when the above CrI.M.P. was listed for hearing, the petitioner failed to appear before the trial Court. Therefore, the trial Court issued NBWs against the petitioner. Aggrieved by the same, the petitioner approached this Court.

Considering the facts and circumstances of the case and the nature of the proceedings, the petitioner is directed to surrender before the trial Court and file an application seeking to recall NBWs issued against him. On such application being filed, the trial Court is directed to recall NBWs issued against the petitioner on condition of his depositing Rs.40,000/- (Rupees Forty Thousand only) towards arrears of maintenance on or before 30.5.2016. The trial Court is directed to dispose of the above CrI.M.P. within a period of one month from the

date of receipt of a copy of this order.

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

JUSTICE RAJA ELANGO

Date : 27.4.2016

Nn

HONOURABLE SRI JUSTICE RAJA ELANGO

-
-
-
-
-
-
-
-

CRIMINAL PETITION No.6490 OF 2016

DATED 27.4.2016

Nn