

HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.16809 OF 2016

ORDER:

This Criminal Petition is filed under Section 482 of Cr.P.C. to quash the order in CrI.P.No.2108 of 2016 in D.V.C.No.13 of 2016 dated 3rd November, 2016 passed by Judicial First Class Magistrate, Macherla granting interim maintenance of Rs.3,000/- per month to the petitioner-Rohit minor on various grounds.

The only ground urged before this court is that the marriage was not valid and thereby, child born to the second wife is not entitled to claim maintenance but all these questions cannot be decided by this court at this stage, while exercising the jurisdiction under Section 482 Cr.P.C. Therefore, giving liberty to the petitioner to file an appropriate appeal under Section 29 of the Protection of Women from Domestic Violence Act against the order impugned.

Accordingly, this Criminal Petition is disposed of granting liberty to prefer appeal under Section 29 of the Protection of Women from Domestic Violence Act.

As a sequel to the disposal of this petition, the Miscellaneous Petitions, if any, pending, shall stand dismissed.

JUSTICE M.SATYANARAYANA MURTHY

Dated 19-12-2016.

Dvs.

HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY



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Dated 19-12-2016.

Dvs