

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL REVISION CASE No.2474 OF 2017

JUDGMENT:

The present Criminal Revision Case is preferred by respondent - husband in Crl.M.P. No.1661 of 2016 in M.C. No.283 of 2016, on the file of the learned Additional Metropolitan Sessions Judge for the trial of Jubilee Hills Car Bomb Blast Case - cum - Additional Family Court, - cum - XXIII Additional Chief Judge, Hyderabad, under Sections 397 and 401 of the Code of Criminal Procedure, 1973, questioning the order, dated 19.06.2017, whereby and where-under, a sum of Rs.10,000/- was awarded towards interim monthly maintenance to respondent No.2 - wife from the date of petition.

2. Heard Sri Sreenivasa Rao Velivela, learned counsel for the revision petitioner. Despite service of notice on respondent No.2 - wife, none appears.

3. The aforesaid Crl.M.P. was filed by respondent No.2 - wife seeking interim maintenance of Rs.20,000/- per month. As against which, the learned Judge granted Rs.10,000/- towards interim maintenance per month, ordering to pay it on or before 10th of every succeeding month.

4. The learned counsel would submit that, in fact, the revision petitioner - husband has averred in his counter in paragraph No.8 that a Cyber Crime was registered on his complaint in relation to extra

marital relations of respondent No.2 - wife herein and, therefore, she is not entitled to any interim maintenance at all.

5. Since the aforesaid Crl.M.P. is only an application for interim maintenance, there may not be any evidence being recorded, and that has been the reason, keeping in view, that the revision petitioner was running a SIM Cards business, the learned Judge ordered Rs.10,000/- towards monthly interim maintenance.

6. Keeping in view, the submissions made by the learned counsel for the revision petitioner, as the respondent No.2 - wife despite service of notice, has not entered appearance, the amount of Rs.10,000/- awarded by the learned Judge is reduced to Rs.7,500/- per month (Rupees seven thousand and five hundred only).

7. Accordingly, the Criminal Revision Case is allowed in part, at the admission stage itself, reducing the monthly interim maintenance to Rs.7,500/- from Rs.10,000/- per month awarded by the learned Judge in Crl.M.P. No.1661 of 2016.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the criminal revision case, stand closed.

A. SHANKAR NARAYANA, J

December 19, 2017.

Mgr