

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.7714 of 2017

ORDER:

Heard the learned counsel for the petitioner/respondent in M.C.No.5 of 2014 on the file of the Judl.Magistrate of First class at Railwaykodur and the learned Public Prosecutor for the 2nd respondent/State before ordering notice to the 1st respondent and perused the grounds urged in the petition.

The 1st respondent herein filed maintenance case supra against the petitioner herein and also filed CrI.M.P.No.868 of 2017 seeking grant of arrears from the petitioner herein in which the learned Magistrate allowed the petition impugning which this criminal Petition filed.

In fact, on perusal of the order of the lower Court no way requires any interference but for the difficulty expressed by the petitioner to pay in stipulated time, this Court grants two months time from today i.e. to pay half of the amount of the said arrears within two weeks and the remaining balance within two months, is granted subject to that the issuance of the warrant by the impugned order of the learned Magistrate dt.02.08.2017 is suspended only for three months from today. If the amount is not paid as referred supra even the first half within 15 days and the balance within two months, the lower Court can enforce for its recovery as the stay ceases its force automatically without any further reference to the Court.

In the result, the Criminal Petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 04.09.2017
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