

THE HONOURABLE Dr.JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.6676 of 2017

ORDER :

Heard the learned counsel for the petitioner, before ordering notice to the respondents 2 and 3 and also the learned Public prosecutor representing the 1st respondent-State and perused the grounds urged in the petition impugning the order dated 12.06.2017, in CrI.R.P.No.40 of 2015 confirming the dismissal order dt.15.05.2015 in the interim maintenance application CrI.M.P.No. 2948 of 2014 in M.C.No.18 of 2014 on the file of the Addl.JFCM, Kadiri, Anantapur District, and perused the material on record.

Needless to say after Amendment in 2001 to Section 125CrPC, interim maintenance is entitled and even it is not granted from the date of petition, in the final order, it can be granted.

Having regard to the above, instead of remanding the matter back to the lower Court to subserve the ends of justice, this petition is disposed of directing the learned Magistrate to dispose of the M.C.No.18 of 2014 within two months from the date of receipt of the order to decide on own merits uninfluenced either by the interim maintenance dismissal order or by the confirmed order of the revision Court.

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

Dr. B. SIVA SANKARA RAO J,

Date:02.08.2017
vvr

