

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No. 2239 of 2011

ORDER:

This petition is filed by the petitioner seeking for quash the order, dated 13.10.2010, passed in CrI.R.P.No.63 of 2009 of the Sessions Judge, Anantapur, by virtue of which the court below dismissed the revision, which was filed by the petitioner herein against the order, dated 28.08.2009, passed in M.C.No.3 of 2004 of the Additional Judicial Magistrate of First Class, Kadiri.

2. Heard counsel for the petitioner and the Public Prosecutor appearing for R3. None appears for R1 and R2 in spite of notice.

3. By virtue of the order of maintenance passed in M.C.No.3 of 2004, the Additional Judicial Magistrate of First Class, Kadiri, granted maintenance of Rs.1,000/- to each of the petitioners therein, who are the wife and son of the petitioner herein /respondent therein. The Court below considered that the award of Rs.1,000/- of maintenance would meet the ends of justice. Even if there was no evidence about the income of the petitioner, it can be assumed that any able bodied person would be able to make earnings which would allow him to spare Rs.1,000/- to his wife and son each.

4. In view of the above observations, this Court does not find any reason to interfere with the impugned order.

Hence, the Criminal Petition is dismissed. As a sequel, the miscellaneous applications, if any pending, shall stand closed.

T. RAJANI, J

November 9, 2017
LMV