

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.13368 of 2011

ORDER:

This petition is filed under Section 482 Cr.P.C., for quashing the proceedings in CrI.R.P.No.13 of 2011 on the file of Principal Sessions Judge, at Khammam (for short, 'the revisional Court'), by virtue of which the said Court affirmed the order passed by the II Additional Judicial Magistrate of First Class, Khammam (for short, 'the trial Court') in CrI.M.P.No.113 of 2008 in M.C.No.23 of 1997, dated 08.12.2010, by virtue of which a maintenance of Rs.1,000/- per month was granted to the 2<sup>nd</sup> respondent who is the wife of the petitioner, and Rs.1,500/- per month was granted as maintenance to the 3<sup>rd</sup> respondent who is the son of the petitioner.

2. Heard the learned counsel for the petitioner, and the learned Public Prosecutor for the 1<sup>st</sup> respondent-State.

3. The petitioner is alleged to be earning Rs.15,000/- per month by running a Fancy Shop. Though the petitioner denied the contention of earning Rs.15,000/- per month, but the fact that he was running a Fancy Shop was not denied. Hence it may be assumed that the income of the petitioner can be as alleged. Hence, in the above circumstances, the maintenance granted by the trial Court and the revisional Court cannot be said to be exorbitant, even if the fact that the petitioner is meeting the medical expenses of his father is considered. In view of the same, there is absolutely no reason to interfere with the impugned order.

4. Hence, the criminal petition is dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed.

05<sup>th</sup> December, 2018

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T. RAJANI, J

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