

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.7869 of 2011

ORDER:

This criminal petition is filed, by the petitioner, who is the revision petitioner, seeking for quash of the proceedings against him in CrI.R.P.No.161 of 2009 on the file of the court of XI Additional District Judge (FTC), Guntur at Tenali, which was preferred against the order, dated 07.10.2009, passed in M.C.No.9 of 2008 by the court of II Additional Junior Civil Judge, Tenali.

2. Heard the counsel for the petitioner and the Public Prosecutor appearing for the 3rd respondent as well as the counsel appearing for the 1st and 2nd respondents.

3. The counsel for the petitioner submits that the trial court by order, dated 07.10.2009 in M.C.No.9 of 2008, granted maintenance of Rs.2,000/- to the wife/1st respondent and Rs.2,500/- to the daughter/2nd respondent of the petitioner. Aggrieved by the same, the impugned revision viz. CrI.R.P.No.161 of 2009 was preferred and by virtue of the impugned order, the court below confirmed the order passed by the trial court.

4. A perusal of the order shows that there was an admission on the part of the petitioner herein that he was earning Rs.14,391/-, apart from Rs.490/-, which is towards quarter allowance. Both the courts below considered the said income and awarded the maintenance to the respondents.

5. The counsel for the petitioner is not in a position to put forth any grounds on the basis of which the maintenance amount granted to the respondents needs to be refused. When the petitioner himself admits before the court that he was drawing Rs.15,000/-, maintenance granted to the wife and children at Rs.2,000/- and Rs.2,500/- respectively cannot be termed as exorbitant.

6. Hence, in view of the above, this court opines that there is absolutely no necessity to interfere with the impugned order.

5. With the above observations, the Criminal Petition is dismissed.

As a sequel, the miscellaneous applications pending, if any, shall stand closed.

November 5, 2018
LMV

T. RAJANI, J

