

SMT. JUSTICE T. RAJANI

CRIMINAL PETITION No.6544 OF 2011

ORDER:

This criminal petition is filed to set aside order dated 31.03.2011 passed in CrI.R.P.No.73 of 2008 by the VI Additional District and Sessions Judge (FTC) Krishna, Machilipatnam. The said revision petition is filed by the petitioner herein against order dated 05.11.2008 passed in M.C.No.3 of 2007 by the Judicial Magistrate of I Class, Spl. Mobile Court, Krishna, Machilipatnam.

The trial Court, by considering the facts of the case, granted maintenance of Rs.1,500/- to the 1st respondent herein and Rs.1,000/- to the 2nd respondent herein, who are the wife and son of the petitioner respectively. Petitioner carried the matter in revision before the VI Additional District and Sessions Judge (FTC) Krishna, Machilipatnam and the order of the learned Magistrate was confirmed by dismissing the revision petition.

Heard learned counsel for the petitioner and the learned Public Prosecutor for the 3rd respondent-State. None appears for respondents 1 and 2 despite service of notice.

A reading of the order under challenge does not show that there are any grounds to interfere with the same, as the facts were appreciated in a proper perspective. The 1st respondent is admittedly the wife of the petitioner. The petitioner is stated to have enrolled as an Advocate at present. There were some disputes between the couple and the same was taken before elders and the 1st respondent joined the

petitioner after conciliation, but later on, there was alleged harassment by the petitioner and his family members.

Hence, in the circumstances in which the petitioner is not able to make out any case, considering which maintenance can be refused to the respondents, there need not be any interference with the order under challenge.

Criminal petition is accordingly dismissed.

As a sequel, miscellaneous petitions if any pending stand closed.

August 27, 2018
MRR



T. RAJANI, J