

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.6474 of 2011

ORDER:

This petition is filed by the petitioner/respondent, seeking for quash of the order, dated 03.06.2011, passed by the IV Additional Junior Civil judge, Rajahmundry, in CrI.M.P.No.71 of 2011 in M.C.No.3 of 2011. By virtue of the said order, the court below granted interim maintenance at Rs.3,500/- and Rs.1,500/- per month to the 1st and 2nd petitioners therein.

2. Heard the counsel for the petitioner and the Public Prosecutor, appearing for the 3rd respondent. None appears for the 1st and 2nd respondents, in spite of notice.

3. The counsel for the petitioner submits that the petitioner is unemployed and that he is not in a position to pay the said maintenance, but there is no contention by the petitioner that he is not in a position to make any earnings and that he is not of healthy body.

4. Hence, in the said circumstances, the petitioner is expected to maintain his wife and children. The lower court found that the petitioners therein were harassed by this petitioner. Hence, this court opines that there are absolutely no grounds to interfere with the order of the court below.

5. Accordingly, the Criminal Petition is dismissed. Interim stay granted by this court on 02.08.2011 in CrI.P.M.P.No.6632 of 2011 shall stand vacated. As a sequel,

the miscellaneous applications, if any pending, shall stand closed.

T. RAJANI, J

August 21, 2018
LMV

