

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.12753 of 2018

ORDER:

This petition is filed, by the petitioner, seeking for modification of the order, dated 19.11.2018, passed by the court of XI Additional District & Sessions Judge at Gudivada, in CrI.M.P.No.917of 2018 in CrI.R.P.No.62 of 2018, to the extent of directing the petitioner to deposit 50% of the arrears of the maintenance, which is due, within 15 days from the date of order.

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

3. The counsel for the petitioner now submits that the petitioner, though is an advocate, does not have any practice and that he is not in a position to comply with the impugned order. He also submits that he has a good case in the revision.

4. Hence, considering the above, this court opines that the impugned order can be modified by substituting 35% in the place of 50% of the maintenance amount.

5. Accordingly, the Criminal Petition is allowed and the order, dated 19.11.2018, passed by the court of XI Additional District & Sessions Judge at Gudivada, in CrI.M.P.No.917of 2018 in CrI.R.P.No.62 of 2018, to the extent of directing the petitioner to deposit 50% of the arrears of the maintenance is hereby

modified and the petitioner is directed to deposit 35% of the maintenance amount before the trial court within 15 days from the date of receipt of a copy of this order. The rest of the order shall remain intact.

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

T.RAJANI, J

December 17, 2018

Note:-

Furnish copy by 19.12.2018.

{ B/o }
LMV

