

**IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD**

**WEDNESDAY, THE SIXTH DAY OF DECEMBER  
TWO THOUSAND AND TWENTY THREE**

**PRESENT**

**THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL  
CRIMINAL REVISION CASE No: 4 OF 2019**

Crl.Revision filed under Sections 397 and 401 of Cr.PC against the Judgement dated 04-10-2018 against the order passed by the Court of Judge, Family Court cum III Addl. District Judge at Warangal in M.C.No.42 of 2016.

**Between:**

Devaraya Bakkaiah,, S/o.Yellaiah, Age. 45 yrs, Occ.Police Consitable No.1597, In WPS Warangal (U), R/o. Deendayal Nagar, Hunter Road, Hanamkonda, Warangal

**...Petitioner/Respondent**

**AND**

1. The State of Telangana, Rep.by its Public Prosecutor, High Court at Hyderabad.
2. Devaraya Saroja @ Bhavani, W/o. Bakkaiah, Age. 38 yrs, Occ: Household
3. Devaraya Sairakshit,, S/o Bakkaiah, Aged 6 years, Student, being Minor Rep., by Respondent No.2 and the natural mother, Devaraya Saroja @ Bhavani, Both Rio H.No.1-9-1286/1, Deendayal Nagar, Hunter Road, Hanamkonda, Warangal

**...Respondents/Petitioners**

**IA No: 1 OF 2019**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay of all further proceedings in order passed by the Judge Family Court At Warangal in MC.No. 42 of 2016 dated 04-10-2018.

**Counsel for the Petitioners: Mr. SRIKANTH, ADVOCATE REP.  
SRI ALLADI RAVINDER**

**Counsel for the Respondent No.1: ASSISTANT PUBLIC PROSECUTOR  
Counsel for Respondent Nos.2 &3: SRI. A. PRABHAKAR RAO**

**The Court made the following: ORDER**

1

**THE HONOURABLE SRI JUSTICE E. V. VENUGOPAL**

**CRIMINAL REVISION CASE No.4 OF 2019**

**ORDER:**

This Criminal Revision Case is filed aggrieved by the order dated 04.10.2018 in M.C.No.42 of 2016 on the file of the learned Judge, Family Court-cum-III Additional District Judge, at Warangal (for short, "the trial Court").

2. Heard Mr. Srikanth, learned counsel representing Mr. Alladi Ravinder, learned counsel for the petitioner and Mr. Vizarith Ali, learned Assistant Public Prosecutor appearing for the respondent No.1 state.

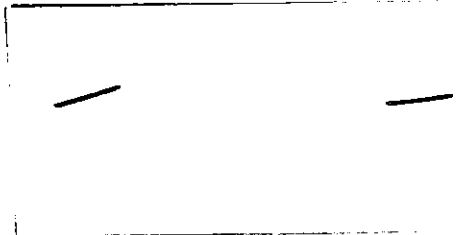
3. The brief facts of the case are that the marriage between the petitioner and respondent No.1 was performed on 21.02.1999 and the couple were blessed with two daughters and a son out of their wedlock. After the birth of the first daughter, the petitioner started subjecting respondent No.2 to physical and mental cruelty for want of additional dowry. Aggrieved thereby, respondent No.2 lodged a complaint against the petitioner for the offences punishable under Sections 498-A, 323, 506 I.P.C. and 3 and 4 of Dowry Prohibition Act. As respondent Nos.2 and 3 were unable to maintain themselves, they filed maintenance case

against the petitioner seeking maintenance before the trial Court. Vide order dated 04.10.2018 in M.C.No.42 of 2016, the trial Court granted an amount of Rs.10,000/- to respondent Nos.2 and 3 each from the date of filing of the petition. The petitioner was further granted a sum of Rs.10,000/- towards costs of the petition. Assailing the same, the present Revision.

4. Learned counsel for the petitioner contended that respondent No.2 deserted the petitioner on her own accord and she possessed sufficient means to maintain herself and her son. Without considering the same, the trial Court passed the impugned order which is untenable. Therefore, seeks to set aside the impugned order.

5. Learned Assistant Public Prosecutor submitted that the trial court after appreciating the oral and documentary evidence available on record in proper perspective, rightly passed the impugned order, which is very meager in view of escalation of prices in today's context. Therefore, seeks to dismiss the Revision.

6. Before the trial Court, on behalf of respondent Nos.2 and 3, PWs.1 and 2 were examined and Exs.P1 to P10 were marked. On behalf of petitioner, RWs.1 to 4 were examined and no documents



were marked. After appreciating oral and documentary evidence, the trial Court observed that the petitioner has not placed any documentary proof to show that respondent No.2 was the owner of the house property and earning an income of Rs.10,000/- as rent. Therefore, the trial Court rightly came to the conclusion that respondent Nos.2 and 3 do not possess sufficient means to maintain themselves and the petitioner neglected to maintain them. Upon considering the fact that the petitioner was a Police Constable, the trial Court awarded an amount of Rs.10,000/- to respondent Nos.2 and 3 each as maintenance from the date of filing of the petition.

7. A perusal of the record shows that the Revision pertains to the year, 2019 and this Court vide order dated 13.10.2020 granted interim stay of the impugned order, subject to the petitioner depositing a sum of Rs.15,000/- per month towards maintenance to respondent Nos.2 and 3 together, till the Revision is disposed of. If any arrears accrued, the same were directed to be deposited by the petitioner within a period of four weeks from the date of order. It was made clear that if the petitioner failed to comply with the said order, respondent Nos.2 and 3 were at liberty to execute the order passed by the trial Court as per law.

8. Till date nothing is available on record to show that the order dated 13.10.2020 passed by this Court is being complied with. Upon careful consideration of the entire material available on record, this Court is of the view that the maintenance awarded by the trial Court is just, fair and equitable. The impugned order was passed upon taking into consideration the economic standards of the petitioner vis-a-vis the cost of living standards of people in the present day society. Hence, I find no reason to interfere with the impugned order. Therefore, the Revision is devoid of any merit and liable to be dismissed.

9. Accordingly, the Criminal Revision Case is dismissed.

Miscellaneous Petitions, pending if any, shall stand closed.

SD/- B. SATYAVATHI  
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judge, Family Court cum III Addl. District Judge at Warangal
2. One CC to SRI ALLADI RAVINDER Advocate [OPUC]
3. One CC to SRI A. PRABHAKAR RAO, ADVOCATE (OPUC)
4. Two CCs to the PUBLIC PROSECUTOR , High Court of Telangana at Hyderabad (OUT)
5. Two CD Copies

MY  
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**HIGH COURT**

**DATED:06/12/2023**

**ORDER**

**CRLRC.No.4 of 2019**



**DISMISSING THE CRL.R.C.**

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