

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

**MONDAY, THE THIRTIETH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 912 OF 2023

Between:

Bandi Rambabu, S/o. Venkateswarlu, Aged 32 years, Occ. Agriculture, R/o.H.No.3-125, Billapadu Village, Thallada Manadal, Khammam District.

...PETITIONER/RESPONDENT

AND

1. The State of Telangana, rep. by Public Prosecutor, High Court of Telangana, Hyderabad.
2. Bandi @ Jammula Hanisha, W/o. Bandi Rambabu, Aged 31 years, Occ. House-hold, Presently residing at H.No.4-2-47/ 1, Srinivas Nagar, Khammam, Khammam District.
3. Bandi Gananath Goud, S/o.Bandi Rambabu, Aged 11 Months, presently residing at H.No.4-2-47/ 1, Srinivas Nagar, Khammam, Khammam District, (Respondent No.2 being a minor represented by his mother and natural guardian Bandi @ Jammula Hanisha Respondent No.1)

...RESPONDENT/PETITIONERS

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash the order dated 14.06.2022 passed in CrI.M.P.No.02 of 2022 in F.C.M.C.No.01 of 2022. On the file of The Court of the Judge, Family Court-cum-IV Additional Session Judge at Khammam.

I.A. NO: 1 OF 2023

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to dispense with the filing of the certified copies the proceedings in the order dated 14.06.2022 passed in CrI.M.P.No.02 of 2022 in F.C.M.C.No.01 of 2022. On the file of the Court of the Judge, Family Court-cum-IV Additional Session Judge at Khammam.

I.A. NO: 2 OF 2023

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to stay of all further proceedings in F.C.M.C.No.01 of 2022 on the file of the Court of the Judge, Family Court-cum-IV Additional Session Judge at Khammam pending disposal of the CRLP No. 912 of 2023, before this Honble Court.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri S. YOGESH ,Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No.1 and none appeared for the Respondent No.2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.912 OF 2023

ORDER:

The present Criminal Petition is filed under Section 482 of Code of Criminal Procedure (for short 'Cr.P.C.'), to set aside the order dated 14.06.2022 in CrI.M.P.No.2 of 2022 in F.C.M.C.No.1 of 2022 passed by the Judge, Family Court-cum-V Additional Sessions Judge at Khammam.

2. The petitioner is the husband of 2nd respondent herein and father of 3rd respondent. The respondent No.2 and 3 herein has filed a petition vide F.C.M.C.No.1 of 2022 under Section 125 of Cr.P.C seeking maintenance from the petitioner herein. They have also filed an application under Section 125(1) of Cr.P.C. vide CrI.M.P.No.2 of 2022 in F.C.M.C.No.1 of 2022 seeking interim maintenance from the petitioners herein. Vide order dated 14.06.2022, Judge, Family Court-cum-IV Additional Sessions Judge at Khammam, directed the respondent therein to pay an amount of Rs.5,000/- each per month(totailing Rs.10,000/-) to the petitioner Nos.1 and 2 therein towards interim maintenance from the date of petition to till the disposal of main maintenance case. Aggrieved by the said order of

the learned Family Court Judge, the petitioner – respondent filed this criminal petition to set aside the aforesaid order.

3. Heard learned counsel for the petitioner and learned Public Prosecutor for the respondent-State. Perused the record.

4. Since the maintenance granted is interim in nature, this Court deems it appropriate to reduce the interim maintenance of Rs.10,000/- per month as ordered by the learned Family Court Judge to Rs.7,000/- per month i.e., Rs.3,500/- each to the 2nd and 3rd respondents herein from the date of this order until the disposal of main maintenance case.

5. In view of the above discussion, the order dated 14.06.2022 in CrI.M.P.No.2 of 2022 in F.C.M.C.No.1 of 2022 passed by the Judge, Family Court-cum-V Additional Sessions Judge at Khammam, is modified. With the said modification, this Criminal Petition is disposed of.

Miscellaneous Petitions, if any, pending, shall also stand closed.

Sd/-V.KAVITHA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judge, Family Court-cum-IV Additional Session Judge at Khammam.
2. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad (OUT).
3. One CC to Sri S. YOGESH, Advocate [OPUC]
4. Two CD Copies

DL

2/1/24

HIGH COURT

DATED:30/01/2023

ORDER

CRLP.No.912 of 2023



CRIMINAL PETITION IS DISPOSED OF

⑦
8/2/23
JWt