

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

WEDNESDAY, THE THIRTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 12228 OF 2023

Between:

1. Smt. Surakani Radhika, W/o. Narsimha Reddy, Age- 38 years, Occ- Housewife, R/o. Plot No. 14, Road No.5, Near St. Alphonsa Grammar School, L.B. Nagar, Hayathnagar, Ranga Reddy District
2. Master S. Rohith Reddy, S/o. Narsimha Reddy, Age- 16 years, minor,
3. Master S. Lokesh Reddy, S/o. Narsimha Reddy, Age- 14 years, Minor, Petitioner No. 2 and 3 are Represented by their mother and natural guardian Smt. Surakani Radhika, W/o. Narsimha Reddy, Age- 38 years, R/o. Plot No. 14, Road No.5, Near St. Alphonsa Grammar School, L.B. Nagar, Hayathnagar, **...Petitioners/Petitioners**

AND

1. S Narsimha Reddy, S/o. Sai Reddy, Age- about 48 years, Occ- Business, R/o. Veliminedu Village, Chityala Mandal, Nalgonda District **...Respondent/ Respondent**
2. The State of Telangana, Represented by its Public Prosecutor, High Court of Judicature at Hyderabad. **...Respondent/Respondent**

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 28-11-2023 in CrI.MP.No. 317 of 2023 in M.C.No. 32 of 2016 on the file of the JUDGE ADDITIONAL FAMILY COURT, RANGA REDDY DISTRICT AT L.B.NAGAR dismissing the petition filed for striking off the defence evidence of respondent for willful non-compliance of order dated 12-09-2023. It is further submitted that Petitioner No.1 is wife, Petitioner No.2 and 3 are Minor sons of Respondent No.1

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 stay all further proceedings in M.C.No. 32 of 2016 on the file of Honble JUDGE ADDITIONAL FAMILY COURT, RANGA REDDY DISTRICT AT L.B.NAGAR.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri TEKURU SWETCHA, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No.2 and None Appeared for the Respondent No. 1

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.12228 OF 2023

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioners to quash the order dated 28.11.2023 in CrI.M.P.No.317 of 2023 in M.C.No.32 of 2016 on the file of the Addl. Family, Court, Ranga Reddy District at L.B.Nagar.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent-State and perused the record.

3. The wife and children of respondent No.1 herein have filed maintenance case i.e. M.C.No.32 of 2016. Aggrieved by the grant of interim maintenance of Rs.20,000/- per month in CrI.M.P.No.92 of 2017 in M.C.No.32 of 2016, the husband approached this Court by filing CrI.P.No.8517 of 2017. This Court while passing interim orders reduced the amount of interim

maintenance to Rs.12,000/- per month to be paid to the wife and children.

4. Subsequently, this Court had disposed of CrI.P.No.8517 of 2017 on 12.09.2023 directing that the interim maintenance granted shall continue to be paid for another four (04) months and directed the Court below to dispose of the main case within four (04) months. It was further observed that under changed circumstances, the respondents (wife and children) shall approach the Court below seeking alteration of maintenance.

5. The orders passed by this Court on 12.09.2023 regarding continuation of paying interim maintenance was as directed to be paid by this Court earlier. Further, the said amount is not final and not passed on the facts of the case. It is upon for the petitioners to file an application under Section 126 of Cr.P.C seeking enhancement of the interim maintenance granted. The said application shall be disposed off on the basis of the present situation and the amount required for the wife and children for sustain themselves.

6. Since there are already orders of this Court to dispose off the main case within a period of four (04) months, which time has not expired now, this Court deems it appropriate to dispose of the present petition with the above observations. Needless to say that the arrears till date shall be calculated as directed by this Court earlier and shall be paid within a period of eight (08) weeks.

7. With the said direction, the Criminal Petition is disposed off.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/- A.V.S. PRASAD
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Judge Additional Family Court, Ranga Reddy District at L.B.Nagar
2. Two CC to the Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
3. One CC to SRI. TEKURU SWETCHA, Advocate [OPUC]
4. Two CD Copies

PSR



HIGH COURT

DATED:13/12/2023

ORDER

CRLP.No.12228 of 2023



DISPOSING OF THE CRIMINAL PETITION.

④ VW
18/12/23