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

THURSDAY, THE FOURTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 3047 OF 2019

Between:

Sunchu Hemanth Kumar, S/o Soma Narsaiah, aged about 33 years, Occ Software Engineer, R/o H.No 3-14-129, Yadav Nagar, Hanamkonda and Software Tech. Leader, Harison Technologies, Bangalore.

...PETITIONER/Respondent

AND

1. Mrs. Sunchu , Komati Anusha, W/o Sunchu Hemanth Kumar, aged 28 years, Occ Household, R/o. 16-3-180, Shiva Nagar, Warangal.
2. Sunchu Sathvik, S/o Hemanth Kumar, aged 1 1/2 years, Occ Nil, being minor represented by his natural mother and guardian Mrs. Sunchu or Komati Anusha, w/o Sunchu Hemanth Kumar, aged 28 years, Occ Household, R/o 16-3-180, Shiva Nagar,Warangal.

..Respondents/Petitioner.

3. The State of Telangana, rep by the Public Prosecutor, High Court of Judicature for the State of Telangana.

...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 set-aside the order passed in Criminal M.P.No.24 of 2017 in M.C.No.124 of 2017, dated 13-05-2019, on the file of Honourable Family Court, Warangal.

I.A. NO: 1 OF 2019

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 grant interim stay of all further proceedings of Crl. M.P. No.24 of 2017 in M.C. No.124 of 2017 dated 13-05-2019, on the file of Honourable Family Court, Warangal till the disposal of the main Criminal Petition.

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.3047 of 2019

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioner/accused to set aside the order in Crl.M.P.No.24 of 2017 in M.C.No.124 of 2017 on the file of the learned Family Court, Warangal.

2. Heard learned counsel for the petitioner, learned counsel for the respondent Nos.1 and 2 and learned Additional Public Prosecutor for the respondent No.3-State. Perused the record.

3. The petitioner, who is the husband questioning the order of grant of interim maintenance to the respondent Nos.1 and 2. I do not find any infirmity with the said order granting interim maintenance.

4. Several grounds are raised by the learned counsel for the petitioner stating that the paternity of the child is doubtful. In fact, respondent No.1/wife abused petitioner/husband and also threatened him, for which reason, the complaint was filed.

5. Since the maintenance granted is interlocutory in nature, all the defence raised by the petitioner can as well be agitated during trial for grant of the maintenance by the Court below.

6. Accordingly, this Criminal Petition is dismissed.

Miscellaneous applications pending, if any, in this criminal petition, shall stand closed.

SD/-G. SIREESHA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Honourable Family Court, Warangal.
2. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad (OPUC).
3. One CC to SRI. GADI PRAVEEN KUMAR Advocate [OPUC]
4. One CC to Sri A.Ravi Shankar, Advocate (OPUC)
5. Two CD copies.

CHK cvk
MY

HIGH COURT

DATED:04/01/2024

ORDER

CRLP.No.3047 of 2019



CRL.P. IS DISMISSED.

CHR
13/2/24