

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

FRIDAY, THE THIRTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

CRIMINAL REVISION CASE NO: 481 OF 2021

Revision filed under Section 397 & 401 of Cr.P.C aggrieved by the order dated. 16-07-2021 passed in CrI.M.P.No.202 of 2020, M.C.NO. 35 of 2020 on the file of Hon'ble Family Court Judge at Secunderabad, and allow the revision petition.

Between:

Giridhar Podishetty, S/o. Late Sri Krishna, Aged about. 50 years, Occ. Nil, R/o. Plot No. 52, First Floor, Laxmi Nagar Colony, Nehru Nagar, Picket, Secunderabad - 500 026, Telangana State. **...Petitioner**

AND

1. P. Geetha Lakshmi, W/o. P.Giridhar, aged about 47 years, Occ. Household, R/o. Plot No. 52, First Floor, Laxmi Nagar Colony, Nehru Nagar, Picket, Secunderabad - 500 026, Telangana State
2. Master Dev Manikanta, S/o. P.Giridhar, aged about 13 years, Occ. Student, being Minor Represented by mother and guardian Household, R/o. Plot No. 52, First Floor, Laxmi Nagar Colony, Nehru Nagar, Picket, Secunderabad - 500 026, Telangana State.
3. The State of Telangana, Rep. by its Public Prosecutor, High Court at Hyderabad.

...Respondents

IA NO: 1 OF 2021 IN CRL.RC.NO.481 OF 2021

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the order dated. 16-07-2021 passed in CrI.M.P.No.202 of 2020, M.C.No.35 of 2020, on the file of Hon'ble Family Court Judge at Secunderabad.

Counsel for the Petitioner: SRI. D RAMAKRISHNA

Counsel for the Respondent No.1: M/s. SHITAL BHATIA

Counsel for the Respondent No.2: SRI VVS.SATYANARAYANA

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE E.V.VENUGOPAL

CRIMINAL REVISION CASE No.481 of 2021

ORDER:

The present Revision is filed aggrieved by the order dated 16.07.2021 in CrI.M.P.No.202 of 2020 in M.C.No.35 of 2020 on the file of the learned Judge, Family Court, at Secunderabad (for short, "the trial Court") wherein and whereby the learned Judge of trial Court has directed the petitioner to deposit interim maintenance of Rs.25,000/- (rupees Twenty Five Thousand only) per month to the 2nd respondent from the date of petition, payable into the bank account of the 1st respondent on or before 10th of every month and also directed the petitioner to clear off the arrears of maintenance within four months from the date of the order in CrI.M.P.No.202 of 2020 in M.C.No.35 of 2020.

2. Heard learned counsel for the petitioner as well as learned counsel for respondent Nos.1 and 2.

3. The brief facts of the case are that respondent No.1 is the legally wedded wife of the petitioner. They were blessed with one son i.e., respondent No.2 out of their wedlock. As the petitioner neglected his wife and child, they filed maintenance case against

the petitioner. The trial Court vide order dated 16.07.2021 in CrI.M.P.No.202 of 2020 in M.C.No.35 of 2020 directed the petitioner herein to deposit an amount of Rs.25,000/- per month as maintenance payable to respondent No.2 from the date of the petition, payable into the bank account of respondent No.1 on or before 10th of every month. Petitioner is also directed to clear off the arrears of maintenance within four months from the date of that order. Assailing the same, the petitioner preferred the present Revision seeking to set aside the impugned order.

4. Learned counsel for the petitioner contended that the trial Court failed to appreciate the fact that respondent No.1 concealed her profession and ought to have considered the list of documents and medical certificates filed by the petitioner and ought to have considered the original school fee receipt filed by the petitioner.

5. This Court perused the entire material available on record including the impugned order. This Court, as per the findings recorded vide order dated 27.04.2022 in CrI.R.C (SR) No.3198 of 2022 held that a revision application is not maintainable against an interim order in the light of Section 397(2) of the Cr.P.C. and

that against an interlocutory order, a revision under Section 397 of the Cr.P.C. is not maintainable. In that view of the matter, without looking into the merits and demerits of this criminal revision case, this Court is not inclined to entertain the present criminal revision case at this stage, as the proceedings hereunder are squarely covered by the said order.

6. In the result, the Criminal Revision Case is dismissed. It is needless to mention that the revision petitioner is at liberty to work out their remedies, as available under law.

Miscellaneous applications, pending if any, shall stand closed.

Sd/- T. KRISHNA KUMAR
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Family Court Judge at Secunderabad.
2. Two CCs to the PUBLIC PROSECUTOR, High Court at Hyderabad.(OUT)
3. One CC to SRI D. RAMAKRISHNA, Advocate [OPUC]
4. One CC to M/s. SHITAL BHATIA Advocate [OPUC]
5. One CC to SRI VVS.SATYANARAYANA, Advocate [OPUC]
6. Two CD Copies

RC/gh



HIGH COURT

DATED: 13/09/2024

ORDER

CRLRC.No.481 of 2021



THE CRIMINAL REVISION CASE IS DISMISSED

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MBC
28/10