

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE EIGHTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 14334 OF 2025

Between:

Sri. Arvapalli Yadunandan Goud., S/o Venkateshwarlu, A/a 34 years, Occ. Employee, R/o H. No.1-72, Shivalayam Road, Kusumanchi Village and Mandal, Khammam District, Telangana State.

...PETITIONER/ACCUSED

AND

1. The State of Telangana, Rep. By its Public Prosecutor, High Court for the State of Telangana, Hyderabad.
2. Smt. Arvapalli Madhuri, W/o Arvapalli Yadunandan, A/a 27 years, Occ. Pvt. Service,
3. Arvapalli Laashritha Nandan, D/o Arvapalli Yadunandan, A/a 7 years, (Respondent No.3 is minor represented by Respondent No.2 Being and natural guardian) Respondent No.2 and 3 both are R/o H.No.6-10-281, New Colony, Dhamsalapuram, Khammam (Town and District), Telangana State.
4. The Superintending Engineer (S.E), O/o SE/OMC Circle/T.G.TRANSOCO, 132 KV Sub-Station Premises, Khanapuram Haveli, Khammam-507 002

...RESPONDENTS/COMPLAINANTS

Petition under Section 528 of BNSS., praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to SET ASIDE the Salary Attachment Warrant dt.17.10.2025 in CRL.M.P.No. 5 of 2025 IN M.C.NO. 89 OF 2019 on the file of the Judge, Family Court - Cum - IV Addl. District and Sessions Judge, at Khammam, in the interest of justice

I.A. NO: 1 OF 2025

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 STAY of Salary Attachment Warrant dt.17/10/2025 in CRL.M.P.No. 5 of 2025 IN M.C.NO. 89 OF 2019 on the file of the Judge, Family Court-Cum-IV Addl. District & Sessions Judge, at Khammam, pending disposal of the Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri P Venkanna, Advocate for the Petitioner and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor on behalf of the Respondent No.1, and none appears for Respondent No. 2 to 4.

The Court made the following: ORDER

THE HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.14334 of 2025

ORDER:

This Criminal Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/respondent seeking to set aside the salary attachment warrant dated 17.10.2025 passed in CrI.M.P.No.5 of 2025 in M.C.No.89 of 2019 on the file of the Judge, Family Court-cum-IV Additional District and Sessions Judge, Khammam.

2. Heard Mr. P.Venkanna, learned counsel for the petitioner and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for the respondent No.1.

3. Learned counsel for the petitioner submitted that the trial Court, by order dated 17.10.2025, directed payment of monthly maintenance of Rs.26,000/- towards regular maintenance and an additional amount of Rs.10,000/- per month towards arrears. It was observed that arrears amount to Rs.15,38,531/-. Considering the same, the trial Court ordered the petitioner to pay Rs.26,000/- as regular maintenance and an additional Rs.10,000/- per month towards arrears until the said amount is

cleared. The grievance of the petitioner is that his gross salary is Rs.42,099/-, out of which EPF contribution of Rs.4,152/-, Professional Tax of Rs.200/-, GIS of Rs.15/-, and SFMS of Rs.1,000/- are deducted. Apart from these deductions, pursuant to the Court order dated 17.10.2025, his office has deducted Rs.36,000/-. Thus, he is left with only Rs. 729/-. The grievance of the petitioner is that such a meager amount of Rs.729/- is not sufficient for his own sustenance. The total deductions amount to Rs.41,370/- out of his gross salary of Rs.42,099/-, which is highly precarious for him. He submitted that he is ready to comply with the Court's orders but prayed for reduction of the regular maintenance amount.

4. The learned Additional Public Prosecutor has submitted to pass appropriate orders.

5. Considering the facts and circumstances of the case and the material available on record, and on perusal of the pay slip for the month of October 2025, it is observed that Rs.41,370/- is being deducted out of the gross salary of Rs.42,099/-, leaving the petitioner with Rs.729/-, which is insufficient for his own maintenance. It is pertinent to note that while the wife is entitled

to be maintained as per the standard of living of the husband, such maintenance cannot be at the cost of depriving the husband of his own livelihood. In the present case, directing deduction of Rs.36,000/- from a gross salary of Rs.42,099/- is harsh on the petitioner. Therefore, this Court deems it appropriate to reduce the maintenance amount. If an amount of Rs.17,000/- per month is deducted towards regular maintenance, the petitioner would be left with a reasonable amount for his own sustenance. This Court is conscious of the fact that the petitioner is also liable to clear arrears amounting to Rs.15,38,531/-. The said arrears may also be recovered through salary deductions in a reasonable manner. The wife is at liberty to seek enhancement of maintenance if circumstances change in the future.

6. With the above direction, the criminal petition is disposed of.

7. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

SD/-B.REKHA RANI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judge, Family Court-Cum-IV Addl. District & Sessions Judge, at Khammam
2. One CC to Sri P. Venkanna, Advocate [OPUC]

3. Two CCs to Public Prosecutor, High Court for the State of Telangana
(OUT)

4. Two CD Copies

BJLB/PSL *PA*

HIGH COURT

DATED:18/11/2025

ORDER

CRLP.No.14334 of 2025

CRIMINAL PETITION IS DISPOSED OF

7 $\frac{PA}{9/12/25}$

