APHC010131712026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3521]**
(Special Original Jurisdiction)

THURSDAY, THE 8th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL REVISION CASE NO: 479/2026

Between:

1. MUDUNURI UMA BALA SARASWATHI,, W/O. SUNDARA RAMA RAJU, AGE 64 YEARS, D.NO.8-151/1, KOVVADA-ANNAVARAM, BHIMAVARAM, BHIMAVARAM MANDAL, WEST GODAVARI DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PUBLIC PROSECUTOR, HIGH COURT OF ANDHRA PRADESH, AT AMARAVATI.
2. MUDUNURI SUNDARA RAMA RAJU, S/O. SRI RAMA RAJU AGE 66 YEARS, D.NO.2-93, MEHER BABA ASRAMAM, NEAR BORA CHERUVU, VINNAKOTA PANCHAYAT, GUDLAVALLERU MANDAL, KRISHNA DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner:

1. VEMA RAMANJANEYULU

Counsel for the Respondent(S):

1. Y V ANIL KUMAR
2. PUBLIC PROSECUTOR

The Court made the following:

ORDER:

The Criminal Revision Case has been filed under Sections 438 & 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity, 'the BNSS') challenging the interlocutory order dated 19.08.2025 in Crl.M.P.No.793 of 2025 in M.C.No.14 of 2024 passed by the learned Principal Civil Judge (Junior Division)-cum-Judicial Magistrate of First Class, Bhimavaram.

2. Heard Sri. Vema Ramanjaneyulu, the learned counsel for the Petitioner, Miss. N.Vishnupriaya, learned counsel for Respondent No.2 and Sri A. Sai Rohit, sthe learned Assistant Public Prosecutor. Perused the record.

3. The order impugned, dated 19.08.2025, passed the learned Principal Civil Judge (Junior Division)-cum-Judicial Magistrate of First Class, Bhimavaram in Crl.M.P.793 of 2025 in MC.No.14 of 2024, whereby an application filed by the Respondents under Section 144 of the Code of the Criminal Procedure, 1973 (for brevity, 'the Cr.P.C.'), seeking interim maintenance, was allowed. Aggrieved by the said order, the Petitioner has preferred the present Revision Case.

4. Indeed, a revision against interlocutory order is not maintainable as per Section 397(2) of 'the Cr.P.C.' The order impugned is undoubtedly an interim order, as it merely allows an application filed for grant of interim maintenance pending disposal of the main case..

5. The Hon'ble Apex Court in **Sethuraman v. Rajamanickam**[1], **Bhaskar Industries Ltd. v. Bhiwani Denim & Apparels Ltd.**[2], **Girish Kumar Suneja v. CBI**[3], **Amar Nath v. State of Haryana**[4], the Hon'ble Apex Court held that receiving of documents, granting of interim maintenance, summoning of the witnesses are all interlocutory in nature and against which no revision case is maintainable.

6. In view of the law laid down by the Hon'ble Apex Court in **Sethuraman**, **Bhaskar Industries Ltd.**, **Girish Kumar Suneja**, **Amar Nath** *supra* the Criminal Revision case is not maintainable.

7. Hence, the Criminal Revision Case is disposed of. There shall be no order as to costs. Liberty is granted to the Petitioner to challenge the impugned order in appropriate proceedings, in accordance with law.

As a sequel, interlocutory applications, if any pending, shall stand closed.

DR. Y. LAKSHMANA RAO, J

Date: 08.10.2026
VMM

[1](2009) 5 SCC 153
[2](2001) 7 SCC 401
[3](2017) 14 SCC 809
[4](1977) 4 SCC 137

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Date: 08.10.2026

VMM