APHC010181542025

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

WEDNESDAY, THE 14th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL REVISION CASE NO: 462/2025

Between:

BONDALAPATI RENU CHAKRAVARTHY, W/O PENCHALA PRABHAKAR, AGED 49 YEARS,OCC JUNIOR ADVOCATE, R/O FLAT NO.B4, KAPEESA RESIDENCY, 1ST LINE, RAJENDRA NAGAR, GUNTUR, GUNTUR DISTRICT.

...PETITIONER

AND

1. BONDALAPATI PENCHALA PRABHAKAR, S/O.VENKATESWARLU, AGED ABOUT 51 YEARS, OCC PRESENTLY WORKING IN THE O/O. PRINCIPAL SECRETARY, REVENUE DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, PREVIOUSLY WORKED AS DEPUTY TAHSILDAR. CIVIL SUPPLIES DEPT.. RESIDENT OF DOOR NO. 4-5-60/18, SAI BABA ROAD, KORETIPADU, GUNTUR, GUNTUR DISTRICT, ANDHRA PRADESH. .
2. THE STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC PROSECUTOR AT ANDHRA PRADESH HIGH COURT.

...RESPONDENT(S):

Counsel for the Petitioner:

1. V NITESH

Counsel for the Respondent(S):

1. PUBLIC PROSECUTOR
2. KURAVATI LENIN BABU (LEGAL AID COUNSEL)

The Court made the following:

ORDER:

Criminal Revision Case has been preferred under Section 438 read with 442 of the Bharatiya Nagrik Suraksha Sanhita, 2023 (for brevity, 'the BNSS'), challenging the impugned Order dated 06.02.2025 passed in M.C.No.39 of 2010 on the file of the learned Judge Family Court-cum-XII Additional District Judge, Guntur, seeking for modification of the said order and praying for enhancement of maintenance amount from Rs.15,000/- to Rs.30,000/-.

2. Respondent No.2 is working as Revenue Divisional Officer at Markapuram. The petitioner is the wife of Respondent No.1. She is aged about 50 years. Petitioner filed Crl.M.P.No.460 of 2019 in M.C.No.39 of 2010 on the file of the learned Judge Family Court-cum-XII Additional District Judge, Guntur, for enhancing the maintenance amount from Rs.7,000/- to 30,000/-, but the petitioner was partly allowed directing the respondent No.2 to pay an amount of Rs.15,000/- per month to the petitioner.

3. Even after notice is served on the respondent No.1, he has neither appeared before this Court nor engaged a counsel to represent him. Therefore, this Court was constrained to appoint a legal aid counsel for respondent No.1.

4. Mr. V.Nitish, learned counsel for the petitioner, filed a Memo stating that the petitioner/wife of respondent No.1 suffered mild brain stroke and that she

is unable to concentrate on her profession as a junior counsel in a full-fledged manner, and that she needs to take care of her health by bearing certain medical expenses. He further submits that the amount granted by the learned Trial Court is not sufficient to meet her medical exigencies.

5. It is submitted by the learned counsel for the petitioner that respondent No.1 is working as Revenue Divisional Officer and drawing an amount of Rs.1,44,000/- towards Gross Salary and an amount of Rs.1,14,000/- as Net Salary and that with a meager amount of Rs.15,000/- as maintenance, the petitioner is unable to eek-out her daily necessities.

6. Learned Assistant Prosecutor and learned Legal Aid Counsel for respondent No.1 submit that the matter may be disposed of on merits.

7. Thoughtful consideration is bestowed on the arguments advanced by learned counsel for both sides. Perused the record

8. Now the point for consideration is:

> *"Whether the Order dated 06.02.2025 passed in M.C.No.39 of 2010 on the file of the learned Judge Family Court-cum-XII Additional District Judge, Guntur, is correct, legal, and proper with respect to its finding or judgment, and there are any material irregularities? And to what relief?*

9. Learned Trial Court observed that, the petitioner, as a lawyer, was earning RS.10,000/- per month. It can be seen from the impugned Order of the learned Trial Court that without there being any proof that the petitioner was earning Rs.10,000/- per month as an advocate, the learned Trial Court

came to a conclusion that she was earning an amount of Rs.10,000/- per month. The learned Trial Court enhanced the maintenance amount from Rs.7,000/- to Rs.15,000/- on the ground that the petitioner, being an advocate would have been sufficiently earning. More importantly, the learned Trial Court observed that the petitioner/wife would be entitled for Rs.25,000/- towards Monthly Maintenance, but considered the income of the petitioner/wife at Rs.10,000/- per month.

10. Considering facts and circumstances of the case, the health condition of the petitioner, and that fact that she has not been able to wholly concentrate on her profession because of her ailment i.e. mild brain stroke, the amount of maintenance granted by the Trial Court for an amount of Rs.15,000/- is required to be enhanced to Rs.25,000/- per month.

11. In the result, the Criminal Revision case is disposed of and the maintenance awarded to the petitioner is enhanced from Rs.15,000/- to Rs.25,000/-, payable by the respondent No.1, from the date of filing of this Criminal Revision Case. The maintenance paid by respondent No.1 so far during the interregnum period shall be deducted from the above maintenance.

12. Accordingly, the Criminal Revision Case is disposed of. There shall be no order as to costs.

As a sequel, Miscellaneous petitions, if any pending, shall stand closed.

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DR. Y. LAKSHMANA RAO, J

Date: 14.10.2026
DRNR

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL REVISION CASE No.462 of 2025

Date:14.10.2026

DRNR