IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE SEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 2432 OF 2026

Between:

Muddasu Pradeep, S/o Muddasu Bala Aged 34 years, Occ. Software Engineer, Working at Copart India Centre, HI-Tech City, 4th Floor, Raheja Mindspace, Madhapur, Hyderabad. And also Software Engineer working in Blue Youdar Pvt Ltd., At parcel 4, Octava Block, Salarpuria Sattava , Knowledge City, 14th Floor, Unit 3, Madhapur, Hyderabad, T.S-500031. R/o H.No. 4-221, Road No.3, RTC Colony, Near Hanuman Temple, Changicherla, K.V Ranga Reddy District.

...PETITIONER

AND

1. The State of Telangana, Rep by Public Prosecutor, High Court at Hyderabad
2. Muddasu Amyra Celestina, D/o. Muddasu Pradeep Date of Birth.06/12/2022 Aged about 17 Months, R/o H.No.7-1-304/A/9/2, Dasarambasti, B.K.Guda, VTC. Ameerpet, Po Sanjeeva Reddy Nagar, Ameerpet Hyderabad T.s -50038 Rep by Her Real mother Boddu Swapna W/o. Muddasu Pradeep, Aged About 33 Years, Occ. Pvt Services as a Team Leader At Wipro Company Gacchibowli Hyderabad.

...RESPONDENT

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 Quash/set aside the impugned docket order dated: 28.01.2026 passed by the Principal Judge family Court-Cum- XIII AMSJ Kalpataru Complex, Hyderabad in MC No. 199 of 2024.

I.A. NO: 1 OF 2026

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 stay of all further proceedings in MC No.199 of 2024, on the file of Hon'ble Principal

Judge family Court -Cum- XIII AMSJ, Kalpataru Complex, Hyderabad, pending disposal of Criminal Petition.

I.A. NO: 2 OF 2026

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 suspend the docket order dated. 28.01.2026, passed by the Principal Judge family Court -Cum- XIII AMSJ, Kalpataru Complex, Hyderabad in MC No. 199 of 2024, pending dispcsal of Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri K. Rajashekar, Advocate for the Petitioner, Sri Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondent No.1.

The Court made the following: ORDER

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 2432 of 2026

DATE: 07.04.2026

Between :

Muddasu Pradeep

....Petitioner

AND

The State of Telangana,
Rep. by Public Prosecutor,
High Court at Hyderabad and another

....Respondents

: O R D E R :

This Criminal Petition has been filed by the petitioner/respondent, aggrieved by the docket order dated 28.01.2026 passed by the learned Principal Judge, Family court-cum-XIII Additional Metropolitan Sessions Judge, Kalpataru Complex, Hyderabad (for short, 'the trial Court') in M.C.No.199 of 2024, whereby the trial Court directed the petitioner to pay Rs.15,000/- per month to respondent No.2 as interim maintenance till disposal of Crl.M.P.No.88 of 2025 on 5th of every month.

2. Heard Mr. K. Rajashekar, learned counsel for the petitioner, and Mr. Jithender Rao Veeramalla, learned Additional Public Prosecutor, appearing on behalf of respondent No.1.

3. Learned counsel for the petitioner submitted that pursuant to the order dated 23.02.2026, he sent personal notice to respondent No.2 as well as to her counsel appearing before the trial Court through speed post. The notice sent to respondent No.2 was returned with a postal endorsement 'unclaimed' dated 03.03.2026, which amounts to deemed service as per Section 27 of the General Clauses Act, 1897; and the notice sent to the counsel for respondent No.2 was delivered on 27.02.2026.

3.1. He further submitted that respondent No.2, represented by her mother, filed M.C.No.199 of 2024 seeking maintenance of Rs.50,000/- per month. Along with the said M.C., she filed Crl.M.P.No.88 of 2025 seeking interim maintenance at Rs.50,000/- per month and in the said application, the trial Court, on 28.01.2026, posted the matter to 13.03.2026 for filing counter. However, on the very same day, the trial Court, in M.C.No.199 of 2024, directed the petitioner to pay Rs.15,000/- per month as interim maintenance till disposal of Crl.M.P.No.88 of 2025, without assigning any reasons.

3.2. He also submitted that when the interim application filed by respondent No.2 was posted for filing counter, directing the petitioner to pay interim maintenance in the main M.C. is contrary to law. Hence, the impugned order passed by the trial Court is liable to be set aside.

4. Having considered the submissions made by the learned counsel for the petitioner and upon perusal of the material available on record,

it reveals that respondent No.2, represented by her mother, filed M.C.No.199 of 2024 invoking the provisions of Section 125 of Cr.P.C. claiming maintenance of Rs.50,000/- per month. Along with the said M.C., respondent No.2 filed Crl.M.P.No.88 of 2025 seeking interim maintenance at the rate of Rs.50,000/- per month.

5. The record further reveals that the trial Court, on 28.01.2026, posted Crl.M.P.No.88 of 2025 for counter and hearing to 13.03.2025, and on the very same day, in the main M.C., passed a docket order directing the petitioner to pay Rs.15,000/- per month to respondent No.2 till disposal of Crl.M.P.No.88 of 2025, without assigning any reasons and passed a cryptic order.

6. It is very much relevant to extract the docket order dated 28.01.2025 passed by the trial Court:

> "Both parties present. Counter not filed. Meanwhile respondent is directed to pay Rs.15,000/- per month to the petitioner as interim maintenance till disposal of the Crl.MP on 05th of every month. For counter and affidavit of disclosure of assets and liabilities of respondent. Call on 13.03.2026."

Thus, the above order clearly reveals that the trial Court, without assigning any reasons, directed the petitioner to pay interim maintenance at the rate of Rs.15,000/- per month, when the interim maintenance application was pending consideration.

7. It is very much relevant to mention here that the Hon'ble Supreme Court in **Raj Kishore Jha v. State of Bihar**[1], held as under:

> "19. Before we part with the case, we feel it necessary to indicate that non-reasoned conclusions by appellate Courts are not appropriate, more so, when views of the lower Court are differed from. In case of concurrence, the need to again repeat reasons may not be there. It is not so in case of reversal. Reason is the heartbeat of every conclusion. Without the same, it becomes lifeless."

8. In view of the above, this Court, without going into other aspects of the case, holds that the impugned order dated 28.01.2026 passed in M.C.No.199 of 2024 is liable to be aside, and accordingly the same is set aside.

9. Accordingly, the Criminal petition is allowed. The trial Court is directed to dispose of interim maintenance application, namely, Crl.M.P.No.88 of 2025, in accordance with law, as expeditiously as possible, preferably within a period of one (1) month from the date of receipt of a copy of this order.

Miscellaneous applications, pending if any, shall stand closed.

SD/- MOHD.ISMAIL
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

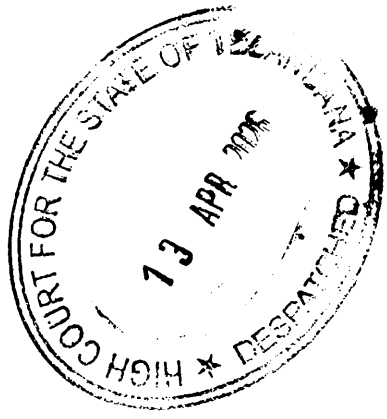
1. The Principal Judge Family Court-Cum-XIII Additional Metropolitan Sessions Judge, Kalpataru Complex, Hyderabad.
2. The XIII Additional Chief Judicial Magistrate at Nampally
3. The Station House Officer, Women Police Station, West Zone, Hyderabad
4. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
5. One CC to Sri K. Rajashekar, Advocate [OPUC]
6. Two CD Copies

VH/PSL

CC today

HIGH COURT

DATED: 07/04/2026



ORDER

CRLP.No.2432 of 2026

ALLOWING THE

CRIMINAL PETITION

(9) copies

Dt: 10/4/26