



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

[3396]

FRIDAY, THE SIXTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL REVISION CASE No: 849/2025

Between:

MALIPATIL MADHUKAR RAO, S/O.MALI PATIL JAYARAM RAO, AGED ABOUT 29 YEARS, PRIVATE EMPLOYEE, R/O.D.NO.53/2, BHAKTAMPALLI VILLAGE, CHINCHOLI TALUQ, KALABURAGI DISTRICT, KARNATAKA STATE-585305.

...PETITIONER

AND

- 1.MALI PATIL VEDANSH, S/O.MALIPATI MADHUKAR RAO, PRESENTLY RESIDING AT D.NO. 16-61-7, PATHAPALEM VILLAGE, MYDUKUR MANDAL, KADAPA DISTRICT.
- 2.THE STATE OF ANDHRA PRADESH, REP.BY ITS PUBLIC PROSECUTOR, HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI.

...RESPONDENT(S):

Counsel for the Petitioner:

- 1.P.L. NARASIMHA RAO

Counsel for the Respondent(S):

- 1.PUBLIC PROSECUTOR
- 2.DODDAKA HARSHA VARDHAN

The Court made the following:

ORDER:

The instant Criminal Revision Case under Sections 438 & 442 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') has been filed by the Petitioner / Husband seeking to set aside the Order dated 11.06.2025

passed in Crl.M.P.No.652 of 2024 in M.C.No.3 of 2024 on the file of the Court of Judicial Magistrate of First Class, Mydukur, Kadapa District.

2. Heard Sri P.L.Narasimha Rao, learned counsel for the Petitioner and Sri D.Harsha Vardhan, learned counsel for Respondent No.1 / Minor Son.

3. Learned counsel for the Petitioner / Husband would submit that the Petitioner is a contract employee and is getting salary of Rs.12,000/- per month. Therefore, the interim maintenance of Rs.7,000/- granted to Respondent No.1 is on high side. Hence, prayed to set aside the impugned order.

4. *Per contra*, learned counsel for Respondent No.1 / Minor Son would submit that, this is only interim maintenance granted by the trial Court without any enquiry. Learned counsel would further submit that, let there be a direction to the trial Court for speedy disposal of the matter.

5. Considering the submissions made and on perusal of the material on record, the impugned order would show that, despite the Petitioner / Husband had taken a plea that he has been getting salary of Rs.12,000/- per month, the learned trial Judge has granted interim maintenance of Rs.7,000/- per month. Be that as it may, as rightly put by the learned counsel for the Respondent No.1 / Minor son, nothing has been placed before this Court to decided the genuineness of otherwise of the respectively contentions of both parties to believe the income of the Petitioner herein.

6. In that view, the criminal revision case is partly allowed reducing the interim maintenance of Rs.7,000/- per month to Rs.5,000/- per month. Both

parties are at liberty to raise their contentions before the trial Court during the course of enquiry and the learned trial Judge may appreciate the same and take an appropriate decision over the matter as expeditiously as possible without being influenced by any of the observations of this Court in this revision.

Pending applications, if any, shall stand closed.

Dr.JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date:06.03.2026

Note: Issue C.C by tomorrow

B/o.

Dinesh

HON'BLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Cri.R.C.No.849 of 2025

Dt.06.03.2026

Dinesh