



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

[3396]

MONDAY, THE SIXTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL REVISION CASE NO: 165/2026

Between:

1.KORRAPATI KIRAN BASHA,, AGED ABOUT 35 YEARS, S/O K.
JAMAL VALLI, R/O D.NO.4-18-A, BOJJAVARIPALLE VILLAGE,
PRODDATUR MANDAL, KADAPA DISTRICT.

...PETITIONER

AND

1.PEERLA ASMA SULTHANA, AGED ABOUT 30 YEARS,
W/O.KORRAPATI KIRAN BASHA, D/O.PEERLA AHMED, R/O D.NO.
12/289, GAYATHRI NAGAR, NEAR RTC BUS STAND, S.MYDUKUR,
MYDUKUR TOWN, KADAPA DISTRICT.

2.KORRAPATI AHSAN JUHAYM MINOR, AGED ABOUT 5 YEARS, S/O.
KORRAPATI KIRAN BASHA, REPRESENTED BY HIS MOTHER AND
NATURAL GUARDIAN. RESPONDENT NO. 1 HEREIN, R/O.D.NO.
12/289, GAYATHRI NAGAR, NEAR RTC BUS STAND, S.MYDUKUR,
MYDUKUR TOWN, KADAPA DISTRICT.

3.THE STATE OF ANDHRA PRADESH, ALLAGADDA TOWN P.S., REP.
BY ITS PUBLIC PROSECUTOR, HIGH COURT OF AMARAVATHI

...RESPONDENT(S):

Counsel for the Petitioner:

1. THATHIREDDY ASHOK SRIVASTAVA

Counsel for the Respondent(S):

1. PUBLIC PROSECUTOR
- 2.

The Court made the following:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL REVISION CASE NO: 165 of 2026****Order:**

This Criminal Revision Case, under Sections 397 and 401 Cr.P.C./ Sections 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS'),, has been filed by the petitioner to set aside the order dated 27.11.2025 passed in CrI.M.P.No.1530 of 2025 in M.C.No.08 of 2025 by the learned Judicial Magistrate of First Class, Mydukur.

2. Heard the learned counsel for the petitioner.
3. Learned counsel for the petitioner submits that the learned trial Court has erroneously granted interim maintenance without any documentary proof regarding the income of either party. It is contended that the trial Court failed to appreciate that respondent No.1 is highly educated and earning Rs.40,000/- per month. It is further submitted that respondent No.1 has sufficient means to maintain herself and, therefore, is not entitled to interim maintenance.
4. Learned Assistant Public Prosecutor takes notice on behalf of the Respondent No.3/State.
5. A perusal of the material on record shows that there is no dispute between the parties with regard to their relationship as husband and wife. Admittedly, the child is in the custody of the mother, i.e., respondent No.2. Petitioner No.1 is a Software Engineer earning a salary of Rs.30,000/- per

month. Respondent No.1, who is the husband of respondent No.2, is also a Software Engineer and, as per his affidavit, is drawing Rs.1,56,162/- per month while showing expenditure to the tune of Rs.1,39,000/-. However, having regard to the facts and circumstances of the case, the trial Court granted interim maintenance at the rate of Rs.10,000/- each per month to respondent Nos.1 and 2, without prejudice to the rights and contentions of both parties. This Court finds no reason to interfere with the well-reasoned order passed by the trial Court.

6. Accordingly, the Criminal Revision Case is disposed of. However, the learned trial Judge is directed to dispose of the main case preferably within a period of two (2) months and to record evidence strictly in accordance with law, as required for adjudication of the maintenance proceedings under the provisions of BNSS.

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

Dr. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 16.02.2026
ARB

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

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