

APHC010152392017



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

[3369]

WEDNESDAY, THE TWELFTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE T MALLIKARJUNA RAO

CRIMINAL REVISION CASE NO: 1688/2017

Between:

1.J.SREERAM PRASAD, KURNOOL DT., S/O J.KULAISWAMY, AGED ABOUT 34 YEARS, OCC: CONSTABLE R/O H.NO. 8-183, JENDAPETA, BETHENCHERLA KURNOOL DISTRICT.

...PETITIONER

AND

1.THE STATE OF AP REP PP AND ANR, REP. BY PUBLIC PROSECUTOR HIGH COURT, HYDERABAD.

2.A SOWJANYA, W/O J.SREERAM PRASAD, AGED ABOUT 34 YEARS, OCC:HOUSEWIFE, R/O H.NO. 43-130A N.R. PETA, KURNOOL.
..RESPONDENTS/RESPONDENTS

...RESPONDENT(S):

Revision filed under Section 397/401 of CrPC praying that in the circumstances stated in the affidavit filed in support of the Criminal Revision Case, the High Court may be pleased to allow the CrI.R.C., by set aside the order dt. 14.10.2016 passed in CrI.A.No.179 of 2016 on the file of VI Additional Sessions Judge, Kurnool; ii) and to grant such other reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.

IA NO: 1 OF 2017(CRLRCMP 2705 OF 2017)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to condone the delay of 130 days in filing the above revision.

IA NO: 2 OF 2017(CRLRCMP 2706 OF 2017)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to dispense with filing OT the certified copy of the order in I.A.No. 250 of 2016 in D.V.C.no.82 of

2015 dt.26-5-2016 on the file of the Special Judicial Magistrate of First Class (for Proh. And Excise) Kurnool, and to pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner:

1.A JAYA SANKARA REDDY

Counsel for the Respondent(S):

1.PUBLIC PROSECUTOR (AP)

The Court made the following ORDER:

1. The present Criminal Revision Case, filed under Sections 397 and 401 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.') is preferred on behalf of the petitioner/husband (appellant) challenging the judgment dated 14.10.2016 passed in CrI.A.No.179 of 2016 on the file of Special Judge for Trial of Cases under SCs & STs (POA) Act – cum – VI Additional Sessions Judge, Kurnool (for short, 'the 1st Appellate Court').

2. For the sake of brevity, the parties shall hereinafter be referred to as they are arrayed in this Criminal Revision Case.

3. It is evident from the record that 2nd respondent initially filed I.A.No.250 of 2016 in D.V.C.No.82 of 2015 on the file of Special Judicial Magistrate of First Class (for Prohibition and Excise) Kurnool (for short, 'the Trial Court'), under 23 of the Protection of Women from Domestic Violence Act, 2005, seeking interim maintenance of RS.20,000/- per month from the petitioner herein. Upon considering the material on record and hearing both parties, the Trial Court partly allowed, granted interim maintenance of ₹15,000 per month to the 2nd respondent from the petitioner pending disposal of the main D.V.C.

4. Aggrieved by the Trial Court's order dated 26.05.2016 in I.A.No.250 of 2016 in D.V.C.No.82 of 2015, the petitioner has preferred the CrI.A.No.179 of 2016 before the 1st Appellate Court. The 1st Appellate Court, after hearing both sides, partly allowed the appeal, modified the interim maintenance from Rs.15,000/- to Rs.5,000/- per month.

5. Dissatisfied with the judgment passed by the 1st Appellate Court in CrI.A.No.179 of 2016, the petitioner herein has preferred the present CrI.R.C.No.1688 of 2017.

6. When the matter was taken up for hearing, none appeared on behalf of the petitioner.

7. Sri K. Sandeep, learned Assistant Public Prosecutor representing the 1st respondent / State, contends that as per the status report obtained from the E-courts portal, D.V.C.No.82 of 2015, in which the order dated 26.05.2016 in I.A.No.250 of 2016 was passed, was finally disposed of on contest before the Trial Court on 05.01.2018. He further contends that, in view of the dismissal of the main case, the present Criminal Revision, directed against the said interlocutory order, no longer survives for independent adjudication and has, therefore, become infructuous.

8. This Court, upon a careful consideration of the submission advanced by the learned Assistant Public Prosecutor and having regard to the fact that the very D.V.C., in which the impugned order was passed, already stands disposed, is of the considered view that nothing further remains for determination in the present Revision Case. Since the main case has been concluded and has attained finality, any challenge to an interlocutory order passed therein has lost its relevance, and adjudicating the present Criminal Revision Case would serve no useful purpose.

9. Accordingly, the Criminal Revision Case is ***dismissed as infructuous***.

Interim orders, if any, granted earlier shall stand vacated, and all pending miscellaneous petitions, if any, shall stand closed.

T. MALLIKARJUNA RAO, J

Date: 12.11.2025
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20

THE HONOURABLE SRI JUSTICE T MALLIKARJUNA RAO

Criminal Revision Case No.1688 of 2017

Date: 12.11.2025

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