

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MONDAY, THE FIFTH DAY OF JANUARY

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 4404 OF 2025

Between:

Syed Areef, S/o Syed Rafiq Ahmed, Aged 30 yrs, Occ- Business, R/o 221/1 A, Vivekananda College of Education NRT Road, B. Ed College of Vittamrajupalli, Vinukonda, Vinukonda JCJC. Palnadu District.

...Petitioner/Respondent/Respondent

AND

1. Syed Tanzila, W/o Syed Arif, D/o SM Ziauddin, Aged 28yrs, Occ- House Wife, R/o D.No 13-14-545, Sri Lakshminarayana Nilalayam, Floor, 1st lane, Krishna Nagar, Guntur.
2. Syed Affan, S/o Syed Areef, Aged 4 yrs. Being Minor Rep by his Mother i.e 1st Respondent, R/o D.No 13-14-545, Sri Lakshminarayana Nilalayam 1st Floor, 1st lane, Krishna Nagar, Guntur

...Respondents/Petitioners/Petitioners

3. The State of Andhra Pradesh, Rep. by Public Prosecutor, High Court of Andhra Pradesh at Amaravati.

...Respondent/Respondent

Petition under Section 482 of Cr.P.C/ Under Section 528 of BNSS praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Petition, the High Court may be pleased to quash or set aside the order, dated 05-02-2025 passed in CrI.M.P. No.247 /2024 in F.C.O.P. (MC) No. 251/2023.on the file of Judge, Family Court: Guntur District, Guntur.

IA NO: 1 OF 2025

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the memorandum of grounds filed in support of the petition, the High Court may be pleased to suspend the operation of the order, dated 05-02-2025 passed in CrI.M.P. No.247 /2024 in F.C.O.P. (MC) No. 251/2023 on the file of Judge, Family Court, Guntur District, Guntur, Pending disposal of CRLP 4404 of 2025, on the file of the High Court.

The Petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and the earlier order of the High Court dated. 23.04.2025, made herein and upon hearing the arguments of SRI PRAKASH BUDDARAPU, Advocate for the Petitioner, and of SRI C.V.R RUDRA PRASAD, Advocate for the Respondent Nos.1 & 2, and of PUBLIC PROSECUTOR, for the Respondent No.3, the Court made the following

ORDER:

Heard Sri A.Satya Prasad, learned senior counsel assisted by Sri Prakash Buddarapu, learned counsel for the petitioner on record and Sri C.V.R. Rudra Prasad, learned counsel for the respondents 1 and 2.

In the light of the difficulty expressed by the learned Senior Counsel in submitting final arguments in this matter, coupled with the submission made by the learned counsel for the respondents that the order passed by this Court dated 23.04.2025, while granting stay of all further proceedings, has not been complied with. On the other hand, the learned counsel for the petitioner would submit that CrI.M.P.No.247 of 2024 was filed on 06.08.2024,

whereas the learned counsel for the respondents contends that it was filed on 18.04.2023.

In that view, it is apposite to direct the Presiding Officer of the Family Court, Guntur, to examine the issue forthwith and ascertain whether the order passed by this Court i.e., the petitioner to deposit 50% of the outstanding maintenance as granted and directed by the learned trial Judge.

In case the petitioner fails to comply with the order passed by this Court, the trial Judge is at liberty to proceed with the matter and dispose of FCOP (MC) No.251 of 2023 without any further delay, without granting adjournments in a casual manner on mere asking, and to dispose of the matter as expeditiously as possible.

In case, the petitioner has complied with the order of this Court, list this matter for final hearing on 20.01.2026.

//TRUE COPY//

SD/- B.PRASAD RAO
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The Judge, Family Court: Guntur District, Guntur.
2. Syed Tanzila, W/o Syed Arif, D/o SM Ziauddin, Aged 28yrs, Occ- House Wife, R/o D.No 13-14-545, Sri Lakshminarayana Nilalayam, Floor, 1st lane, Krishna Nagar, Guntur. (for her self and her minor son Syed Affan by RPAD)
3. One CC to SRI. PRAKASH BUDDARAPU Advocate [OPUC]

4. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh
[OUT]

5. One CC to SRI C.V.R RUDRA PRASAD, Advocate [OPUC]

6. One spare copy

PSR

HIGH COURT

Dr.VJP,J

DATED:05.01.2026.

NOTE: list this matter for final hearing on 20.01.2026.

ORDER

CRLP.No.4404 of 2025

INTERIM DIRECTION

