



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

[3396]

WEDNESDAY, THE TWENTY SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL REVISION CASE NO: 442/2026

Between:

1.TUMMALACHARLA NAGA RAJU, S/O. NARASIMHA RAO,AGED ABOUT 44 YEARS, OCC WORKING AS ASSISTANTSUPERINTENDENT OF POSTS, MAIN POST OFFICE,AVANIGADDA, KRISHNA DISTRICT. - 521121.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC PROSECUTOR,HIGH COURT OF ANDHRA PRADESH, VELAGAPUDI,AMARAVATI, GUNTUR DISTRICT.

2.TUMMALACHARLA SIREESHA ALIAS SAMBARU SIREESHA, W/O. NAGARAJU, AGED ABOUT 34 YEARS OCC HOUSEWIFE,R/O. FLAT NO. 203, B BLOCK, SREE KOVEL APARTMENT,VIDYADHARAPURAM, VIJAYAWADA, NTR DISTRICT. - 520011

3.TUMMALACHARLA NAGA PRANATI, BEING MINOR REP. BYMOTHER AND NATURAL GUARDIAN OF RESPONDENT.R/O. FLAT NO. 203, B BLOCK, SREE KOVEL APARTMENT,VIDYADHARAPURAM, VIJAYAWADA, NTR DISTRICT. - 520011

...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 call for entire records connected to Order dt. 30.03.2026 passed in Crl.M.P No. 338 of 2025 in FCOP .(MC) No. 1791 of 2024 on the file of the court of Learned Additional Family Court - Cum - XIV Additional District and Sessions Judge, Vijayawada., examine the same and set it aside and consequently allow that petition and to pass

IA NO: 1 OF 2026

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 order stay of all further proceedings including execution of order dt. 30.03.2026 passed in Crl.M.P No. 338 of 2025 in FCOP .(MC) No. 1791 of 2024 on the file of the court of Learned Additional Family Court - Cum - XIV Additional District and Sessions Judge, Vijayawada., pending disposal of the main Criminal Revision Case and pass

Counsel for the Petitioner:

1.KISHORE KUMAR KATARI

Counsel for the Respondent(S):

1.PUBLIC PROSECUTOR

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL REVISION CASE NO: 442/2026****JUDGMENT:**

This Criminal Revision Case has been filed by the petitioner aggrieved by the order dated 30.03.2026 passed in CrI.M.P No. 338 of 2025 in FCOP (MC) No. 1791 of 2024 on the file of the learned Additional Family Court -cum- XIV Additional District and Sessions Judge, Vijayawada, granting interim maintenance of Rs.15,000/- per month to the respondent No.2/wife and Rs.10,000/- per month to the respondent No.3/child.

2. Heard Sri Kishore Kumar Katari, learned counsel for the petitioner and Mrs.K.Priyanka Lakshmi, learned Assistant Public Prosecutor representing on behalf of the State.

3. The respondent Nos.2 and 3 filed FCOP (MC) No. 1791 of 2024 on the file of the learned Additional Family Court -cum- XIV Additional District and Sessions Judge, Vijayawada, seeking maintenance against the petitioner. During the pendency of the same, they filed a petition for interim maintenance, wherein, the learned Judge after taking into the consideration the facts and circumstances of the case at hand, granted interim maintenance of Rs.15,000/- per month to the respondent No.2/wife and Rs.10,000/- per month to the respondent No.3/child. Aggrieved by the said order, the present revision is preferred.

4. Learned counsel for the petitioner would submit that the interim maintenance granted by the learned Trial Court is on the higher side. The learned Judge failed to consider the substantial recurring expenses and the existing financial liabilities borne by the petitioner. It is also contended that the Trial Court failed to note that Respondent No. 2, the wife of the petitioner, has sufficient independent income and is not unable to maintain herself. The learned Trial Judge erred in not taking into consideration her employment as a Lab Technician, her earnings from a postal agency, and her online business. It is further submitted that the learned Trial Judge failed to consider the statutory and moral obligation of the petitioner to maintain his aged and ailing parents. The learned Trial Judge also erred in not considering the conduct of Respondent No. 2, who voluntarily deserted the petitioner and left the matrimonial home along with substantial assets and other articles.

5. Learned Assistant Public Prosecutor would submit that the Court may pass appropriate orders, as the impugned order pertains only to interim maintenance.

6. As can be seen from the record, the present revision has been preferred against the order granting interim maintenance. A perusal of the impugned order indicates that it is not in dispute that the wife and child are residing separately from the petitioner, nor is there any dispute regarding the relationship between the petitioner herein and respondent No.2. The contentions raised in the present revision are disputed questions of fact, and this is not the appropriate stage to determine the genuineness or otherwise of

the claims made by the petitioner in the present revision. The learned Trial Judge, after taking into consideration the material placed before him, passed the impugned order. Hence, this Court is of the view that there are no grounds warranting interference with the said order.

7. Considering the submissions made, since this revision is preferred challenging the order dated 30.03.2026 passed in CrI.M.P No. 338 of 2025 in FCOP (MC) No. 1791 of 2024 on the file of the learned Additional Family Court -cum- XIV Additional District and Sessions Judge, Vijayawada, granting interim maintenance of Rs.15,000/- per month to the respondent No.2/wife and Rs.10,000/- per month to the respondent No.3/child, it is apposite to dispose of the present revision without causing any prejudice to the rights and contentions of the respective parties with a direction to the learned Trial Judge to dispose of the main case i.e., FCOP (MC) No. 1791 of 2024, as expeditiously as possible without granting any adjournment in a casual way by mere asking, preferably within a period of three (3) months from the date of receipt of copy of this judgment. The parties are at liberty to raise all their contentions before the Trial Court during the course of enquiry. Learned Trial Judge may appreciate the same and take appropriate decision according to law, without being influenced by any observation made by this Court in the present revision.

8. With the above observations, the Criminal Revision Case is disposed of at the stage of admission.

Consequently, miscellaneous applications pending, if any, shall stand closed.

DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 22.04.2026.
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THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

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Dt.22.04.2026

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