

APHC010418562019



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

[3396]

FRIDAY, THE TWENTIETH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL REVISION CASE NO: 1292/2019

Between:

1. NEELAPU LAXML,, W/O NEELAPU JYOTHI PRASAD, D/O JALAGADUGULA SURYANARAYANA, AGED 37 YEARS, HINDU, OCCU HOUSEWIFE, RIO D. NO 4-3-73, PEDDARELLI VEEDHI, 7TH WARD, PALAKONDA ROAD, SRIKAKUAM TOWN AND DISTRICT.

...PETITIONER

AND

1. NEELAPU JYOTHI PRASAD, S/O MURTY, AGED 41 YEARS, HINDU, OCCU. HOUSEWIFE, R/O D. NO. 4-1-4/12, PEDDARELLI VEEDHI, 7TH WARD, PALAKONDA ROAD,

2. THE STATE OF A P, REP., BY ITS PUBLIC PROSECUTOR, HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

...RESPONDENT(S):

Revision filed under Section 397/401 of CrPC praying that in the circumstances stated in the affidavit filed in support of the CriminalRevisionCase, the High Court may be pleased to allow the appeal by setting aside the order dated 31-10-2018 in F.C.M.C. No. 62 of 2017 on the file of the Judge Family Court-cum-III Addl. District and Sessions Court- Srikakulam

Counsel for the Petitioner:

1. ELEVATED AS JUDGE

Counsel for the Respondent(S):

1. PUBLIC PROSECUTOR (AP)

The Court made the following:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL REVISION CASE NO: 1292/2019****JUDGMENT:**

This Criminal Revision Case is filed challenging the order dated 31.10.2018 passed in F.C.M.C. No. 62 of 2017 on the file of the learned Judge, Family Court-cum-III Additional District and Sessions Judge, Srikakulam, whereby the learned Judge awarded a sum of Rs.6,000/- per month to the petitioner-wife towards interim maintenance.

2. Heard Sri S. Mahesh Naik, learned Legal Aid Counsel for the petitioner-wife, and the learned Assistant Public Prosecutor appearing for the respondent–State.

3. The learned counsel for the revision petitioner submits that the order of the Family Court is contrary to law, weight of evidence and probabilities of the case, and that the learned Judge failed to properly appreciate the material on record. It is submitted that the petitioner-wife initially claimed maintenance of Rs.50,000/- per month, asserting that the respondent-husband is earning about Rs.1,00,000/- per month from various sources, including income as an Ex-Councillor, rental income from a leased vehicle, lease of commercial premises, and earnings as a Karate Master. It is further contended that the amount of Rs.6,000/- awarded by the Family Court is meagre and insufficient even to meet the basic necessities of food, clothing, and shelter. It is also alleged that the respondent is neglecting the petitioner and is living with another woman.

4. The learned Assistant Public Prosecutor submits that the order under revision is well reasoned and passed upon due appreciation of the material available on record. It is contended that the Family Court exercised its discretion judiciously while fixing the interim maintenance and that no interference is warranted in revisional jurisdiction.

5. This Court has carefully considered the submissions made by both sides and perused the material available on record.

6. It is not in dispute that the petitioner is the legally wedded wife of the respondent. The principal contention of the petitioner is with regard to the quantum of maintenance. Though it is asserted that the respondent is earning Rs.1,00,000/- per month from various sources, no documentary evidence has been placed on record to substantiate the said claim. On the other hand, the learned Family Court Judge has taken into consideration the admission of the respondent with regard to leasing of a car, receipt of rent of about Rs.3,500/- per month, and his work as a Karate Master. Upon assessing the financial capacity of the respondent and the needs of the petitioner, the Family Court fixed the maintenance at Rs.6,000/- per month. The reasons assigned for granting interim maintenance are well founded and justified and the same do not suffer from any illegality or perversity warranting interference by this Court

7. However, it is made clear that the petitioner-wife is at liberty to approach the trial Court by filing an appropriate application seeking

enhancement of maintenance, if there is change in circumstances. The trial Court shall consider such application, if filed, in accordance with law.

8. Accordingly, the Criminal Revision Case is dismissed. There shall be no order as to costs.

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

Dr. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 25.02.2026
KKV

180

HON'BLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL REVISION CASE NO: 1292/2019

Dated 20.02.2026

KKV

HIGH COURT OF ANDHRA PRADESH:: AMARAVATI**MAIN CASE NO.: CRIMINAL REVISION CASE NO: 1292/2019****PROCEEDING SHEET**

Sl. No.	Date	ORDER	OFFICE NOTE
	20.02.2026	<u>Dr.VJP,J</u> The Criminal Revision Case is dismissed. (vide separate order) _____ Dr.VJP,J KKV	