



2026:TSHC:15802

[3385]

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THURSDAY, THE TWENTY THIRD DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL REVISION CASE NO: 1011 OF 2025

Criminal Revision filed under Section 438 and 442 of BNSS against the docket order dated: 29/10/2024, passed in M.C. No. 24 of 2020 on the file of the Court of the III Additional District Judge - Cum - II Additional Metropolitan Sessions Judge - Cum - Principal Family Court Judge, Medchal-Malkajgiri District at Kukatpally.

Between:

Remani Naga Venkata Jagan Mohan, S/o. Sri Remani Venkata Seetarama Sastry, Aged about 48 years, Occ: Freelance Research Work, R/o. H.No. 27-10-5, Sri Venkata Chala Nilayam, Srirampuram, Bhimavaram - 534202, West Godavari District, A.P.

...Petitioner/Respondent

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court of Telangana.
2. R. Venkata Sathya Subba Alivelu, W/o. Remani Naga Venkata Jagan Mohan, Aged about 43 Years, Occ: Private School Teacher.
3. Ramani Adhitya Harshith, S/o. Remani Naga Venkata Jagan Mohan, Aged about 13 Years (Minor). Now 18 years.
4. Remani Akshay Prajnan, S/o. Remani Naga Venkata Jagan Mohan, Aged about 8 Years (Minor). Now 13 years.
(Respondents 2 and 3 being minors, represented by their natural mother and guardian, Respondent No. 1).
All R/o. G-4, Sri Chakra Nilayam, B-Block, Allapur Society, Nizampet X Roads, Kukatpally, Hyderabad.

...Respondents/Petitioners



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I.A. NO: 3 OF 2025

Petition under Section 528 of BNSS praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased Suspend the order dated 29.10.2024 passed in M.C. No.24 of 2020 by the II Additional District Judge-Cum-II Additional Metropolitan Sessions Judge-Cum-Principal Family Court Judge, Medchal-Malkajgiri District at Kukatpally, including all coercive steps for recovery, pending disposal of the accompanying Criminal Revision Case; AND Without prejudice, permit the Petitioner to pay interim maintenance as per the interim order or such amount as this Court may fix, and further permit payment of arrears, if any, in reasonable instalments as deemed fit by this Court.

Counsel for the Petitioner : Sri Bokka Venkata Surya Prakasa Rao

Counsel for the Respondent No. 1 : Public Prosecutor

Counsel for the Respondent Nos. 2 to 4 : Sri T Laxminarayana

The Court made the following: ORDER



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IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL REVISION CASE No.1011 OF 2025

DATE: 23.04.2026

BETWEEN:

Remani Naga Venkata Jagan Mohan

.....Petitioner

And

The State of Telangana & three others

.....Respondents

: ORDER:

This Criminal Revision Case is filed aggrieved by the order dated 29.10.2024 passed in M.C.No.24 of 2020 by the III Additional District Judge-cum-II Additional Metropolitan Sessions Judge-cum-Principal Family Court Judge, Medchal-Malkajgiri District at Kukatpally, wherein the petitioner herein was directed to pay monthly maintenance of Rs.50,000/- to respondents 2 to 4 from the date of order. For the sake of



convenience the parties herein after referred to as husband and wife.

2. The respondents 2 to 4 herein filed M.C. No.24 of 2020 seeking maintenance of Rs.25,000/- per month each. The marriage between petitioner No.1 and the respondent was performed on 30.04.2006 at Pippara as per Hindu customs, and substantial dowry in cash, gold, and household articles was given. After marriage, the petitioner joined the respondent at Narsapuram, where he allegedly subjected her to physical and mental cruelty, demanded additional property, and harassed her for not pursuing higher studies and employment. The couple has two children. Despite repeated mediations, the respondent continued abusive behavior, drove her out of the house multiple times, and ultimately forced her to leave in 2018 along with the children. It is further alleged that the respondent maintained improper relations with another woman, ill-treated the children, and misused or sold the petitioner's gold. He refused to take her back unless property was transferred in his name. The respondent, working as a Professor earning about Rs.1,50,000/- per month with additional income, has neglected to maintain the petitioner and children, who are now dependent



on relatives. Hence, sought for maintenance of Rs.25,000/- per month each.

3. The respondent therein filed a counter denying all allegations except the marriage and stated that no dowry was received. He contended that the petitioner left the matrimonial home on her own without valid reason, taking the children, and filed the case only to harass him. He claimed that he paid the children's school fees, but the petitioner therein shifted them to Hyderabad, and despite his efforts for reconciliation, including approaching the Legal Services Committee, she did not cooperate. He stated that he replied to her legal notice requesting her to rejoin him and is still willing to take her back unconditionally. He denied all allegations of cruelty, harassment, improper conduct, and ill-treatment of the children, asserting that the petitioner is well-qualified and working as a teacher earning about Rs.50,000/- per month. He further denied any dowry demand, property demand, mediations, or misuse of gold, claiming the gold is with the petitioner. He also disputed his alleged income and stated that he has financial liabilities and no additional income. Hence, he



contended that the maintenance claim is excessive and sought for dismissal of the petition.

4. After considering the submissions of both parties, the trial Court partly allowed the maintenance case awarding Rs.10,000/- per month to the wife and Rs.20,000/- each to the children from the date of order as interim maintenance was already granted during pendency of the case. Aggrieved by the said order, the husband filed this revision case.

5. Heard Sri B.Venkata Surya Prakasa Rao, learned counsel appearing for the petitioner-husband and Sri T.Laxminarayana, learned counsel appearing for respondent Nos.2 to 4.

6. The learned counsel for the petitioner-husband contends that the Family Court erred in placing undue reliance on the unchallenged testimony of wife and accepted her claims regarding the petitioner's income without any supporting documentary evidence. Despite recording that no proof was produced to establish that the husband earns Rs.1,50,000/- per month, the Court awarded maintenance of Rs.50,000/- per month, which is legally unsustainable. He further contended that no evidence was produced to prove the alleged agricultural



income of Rs.3,00,000/- per annum. The husband's actual income is approximately Rs.30,000/- per month, and he has substantial liabilities, including a housing loan EMI of Rs.27,000/- per month, apart from expenses incurred towards his mother's medical treatment and funeral rites. The maintenance awarded is excessive and beyond his financial capacity.

7. The learned counsel further submitted that the husband lost his employment due to the conduct of the wife and her family, who allegedly created disturbances at his workplace, leading to his forced resignation and affecting his future employment prospects. It is also contended that the wife is well-qualified and gainfully employed, earning around Rs.17,500/- per month, and therefore is not entitled to maintenance. Despite this, the family Court awarded Rs.10,000/- towards her maintenance, which is erroneous. He also contended that wife voluntarily left the matrimonial home without sufficient cause and has been living separately without the husband's consent. Her allegations of harassment are not supported by any documentary evidence such as police complaints or medical records. The husband made several efforts to resume



cohabitation, including approaching the Legal Services Committee and seeking mediation through elders, but the wife refused to join him. Therefore, it is contended that, in view of Section 125(4) Cr.P.C., the wife is not entitled to maintenance, and the impugned order awarding Rs.50,000/- per month is excessive, arbitrary, and liable to be set aside.

8. The respondent-wife filed counter contending that the trial Court, by order dated 11.09.2023 in CrI.M.P.No.780 of 2020, granted interim maintenance, which was later modified by the High Court on 03.11.2023 by reducing the amounts payable to the children, but the petitioner-husband failed to comply with either order. Despite having sufficient means, he willfully defaulted in payment, resulting in arrears of about Rs.22,00,000/-, out of which only Rs.15,00,000/- was paid, leaving a balance of Rs.7,00,000/-. Due to continued non-payment, the trial Court issued NBWs against him. It is also contended that the husband deliberately avoided participating in the trial, failed to cross-examine PW1 or adduce evidence, and therefore the trial Court rightly relied on unchallenged evidence and passed the final order on 29.10.2024. She denies the petitioner's claim of low income and asserts that he is



working as an Associate Professor at SRKR Engineering College, earning a substantial salary, with additional income from house rent and agricultural lands. She submits that she is presently earning only about Rs.10,000/- per month through tuitions. Considering the educational needs of the children and the financial status of the petitioner, the Trial Court rightly awarded maintenance of Rs.50,000/- per month in total, and there are no grounds to interfere with the same; hence, the revision is liable to be dismissed.

9. Considering the submissions made by the respective counsel and the material placed on record, it is seen that petitioner was unable to cross-examine Pw.1 due to ill-health of his mother and that she died on 21.02.2025, the case was decided on merits by the trial Court. Learned counsel for the husband contended that he is earning only Rs.30,000/- and he is a Ph.Dholder. Considering the same, the matter is remanded to the trial Court to give opportunity to the petitioner-husband to cross-examine Pw.1 and to adduce evidence on his behalf. Meanwhile, the petitioner-husband has to pay Rs.30,000/- in M.C.No.24 of 2020 to respondents 2 to 4 and continue to pay



arrears @ Rs.30,000/- per month within one month from the date of receipt of copy of this order.

10. Accordingly, the Criminal Revision Case is partly allowed.

Miscellaneous petitions, if any, pending shall stand closed.

Sd/- P. GOWRI SHANKAR
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The III Additional District Judge - Cum - II Additional Metropolitan Sessions Judge - Cum - Principal Family Court Judge, Medchal-Malkajgiri District at Kukatpally. (With Records, if any)
2. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad.[OUT]
3. One CC to Sri Bokka Venkata Surya Prakasa Rao, Advocate [OPUC]
4. One CC to Sri T Laxminarayana, Advocate [OPUC]
5. Two CD Copies

SA/pr



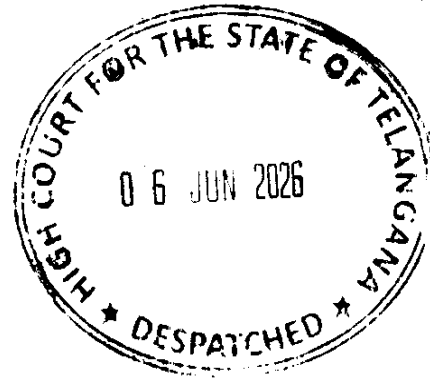
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HIGH COURT

DATED: 23/04/2026

ORDER

CRLRC.No.1011 of 2025



PARTLY ALLOWING THE CRLRC.


18/5/26