

THE HON'BLE SRI JUSTICE K.SREENIVASA REDDY**CRIMINAL PETITION NO.5341 of 2023****ORDER:-**

This Criminal Petition under Section 482 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") is filed by the petitioner to direct the learned Judicial Magistrate of First Class, Kothapeta, East Godavari District, to dispose of CrI.M.P.No.1454 of 2019 in M.C.No.15 of 2013, as expeditiously as possible.

2. Heard Sri A.V.Pardhasaradhi, learned counsel for the petitioner and Sri M.R.L.Narasimha Rao, learned counsel for the respondent No.2.

3. According to the learned counsel for the petitioner that the petitioner filed M.C.No.15 of 2013 on the file of the Judicial Magistrate of First Class, Kothapeta. By an order, dated 31.12.2018, the learned Magistrate directed the respondent No.2 to pay amount of Rs.8,000/- per month towards maintenance. The Respondent No.2 since did not pay the maintenance amount as ordered by the trial Court, the petitioner filed CrI.M.P.No.1454 of 2019 to direct the respondent No.2 to pay an amount 4,23,000/- towards maintenance after deductions for the period from 27.11.2013 to 27.2.2019 i.e., for

63 months at one time. It is submitted that during pendency of the said application the respondent No.2 herein has not obeyed the orders passed by the Court and he did not pay single rupee till today. Learned counsel for the petitioner further submits that the petitioner is living without any income as single and she is maintaining herself with the assistance of her relatives. Therefore, she filed the present CrI.M.P.No.1454 of 2019 and that though 4 years elapsed, the petition is not being disposed of. Hence he prays to allow the petition.

4. In view of the aforesaid circumstances, learned Judicial First Class Magistrate, Kothapeta, East Godavari District, is directed to dispose of the CrI.M.P.No.1454 of 2019 in M.C.No.15 of 2013, as expeditiously as possible, preferably, within a period of four(4) weeks from the date of receipt of a copy of this order.

5. With the above observation, the Criminal Petition is disposed of.

As a sequel thereto, miscellaneous applications, if any, pending in this Criminal petition, shall stand closed.

JUSTICE K.SREENIVASA REDDY

Date:03.10.2023
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Learned counsel for the petitioners after arguing for some time confined his argument to the extent of protecting the petitioners from police since all the offences alleged against the petitioners are punishable with imprisonment below seven years and prays this Court to direct the police to follow the procedure as contemplated under Section 41-A Cr.P.C.