

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2<sup>ND</sup> DAY OF SEPTEMBER 2015

BEFORE

THE HON'BLE MRS JUSTICE RATHNAKALA

**CRIMINAL PETITION NO.986 OF 2015**

BETWEEN :

SRI MANJUNATH  
S/O MAHALINGAPPA  
AGED ABOUT 28 YEARS  
R/AT GARDEN HOUSE  
KAGGERE, CHELUR HOBLI,  
TUMKUR DISTRICT

... PETITIONER

(BY SRI V.B. SIDDARAMAIAH, ADV.)

AND

SMT. B.A. SUPRIYA  
W/O R MANJUNATH  
AGED ABOUT 25 YEARS  
R/AT BULENAHALLI,  
SHETTIKERE HOBLI,  
CHIKKANAYAKANAHALLY TALUK  
TUMKUR DISTRICT 572 214

... RESPONDENT

(NOTICE TO RESPONDENT IS DISPENSED WITH)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C BY THE PETITIONER PRAYING THAT THIS HON'BLE COURT MAY BE PLEASED TO SET ASIDE THE ORDER DATED 29.1.2014 PASSED BY THE V ADDL. DISTRICT AND SESSIONS JUDGE, TIPTUR, PASSED IN CRL.R.P.NO.10091/2014 AND PLEASED TO SET ASIDE THE ORDER DATED 24.7.2014 PASSEDC BY THE PRL. C.J. AND JMFC., CHIKKANAYAKANAHALLI IN CR.MISC.NO.379/2014 AND BE PLEASED TO ALLOW THE CRL.RP NO.10091/2014.

THIS PETITION COMING ON FOR ADMISSION, THIS DAY, THE COURT PASSED THE FOLLOWING:

### **ORDER**

In the given set of facts and circumstances of this case, notice to respondent is dispensed with.

2. The petitioner is aggrieved by the order dated 24.7.2014 passed in Cr.Mis. No.379/2014 by the Prl. Civil Judge & JMFC., Chikkanayakanahalli, in awarding interim maintenance of Rs.5000/- p.m., which is subsequently modified to Rs.4000/- p.m. by order dated

29.1.2015 passed in CrI.Revision Petition No.10091/2014 by the V Addl. District & Sessions Judge, Tiptur.

3. Though, so many contentions are raised by the petitioners about his inability to pay interim maintenance awarded, these contentions are to be urged by him before the trial court, which has passed the order and no case is made out to invoke the extraordinary jurisdiction of this court under section 482 of Cr.P.C.

4. Hence, the petition is dismissed, reserving liberty to raise all the contentions before the trial court.

The trial court is directed to expedite the trial on day to day basis.

**Sd/-  
JUDGE**

Psg\*