

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

CRIMINAL PETITION NO. 5408 OF 2024

BETWEEN:

MR.S.N. RAVICHANDRA
S/O LATE NAGASUBRAMANIAN,
AGED 58 YEARS,
R/A NO. 609, 1ST FLOOR, 11TH CROSS,
5TH MAIN, JP NAGAR 3RD PHASE,
BENGALURU-560 078.

...PETITIONER

(BY SRI. VIVEKANANDA H.S, ADVOCATE)

AND:

1. STATE OF KARNATAKA
THROUGH BASAVANGUDI WOMEN'S POLICE
STATION, REP BY
STATE PUBLIC PROSECUTOR,
BANGALORE - 560 001.

Digitally signed
by PANKAJA S
Location: HIGH
COURT OF
KARNATAKA

2. SMT PRIYA RAVICHANDRA
W/O SRI. SN RAVICHANDRA,
AGED ABOUT 52 YEARS,
R/A NO. 609, 1ST FLOOR, 11TH CROSS,
5TH MAIN, JP NAGAR 3RD PHASE,
BENGALURU - 560 078.

PRESENTLY AT NO. D-1204,
VAISHNAVI, TERRACES,
DOLLARS COLONY, J.P NAGAR,
BENGALURU - 560 078.

...RESPONDENTS

(BY SRI. JAVEED.S, HCGP FOR R1,
SRI. KUSHAL GOWDA, ADVOCATE FOR
SMT. TEJASWINI R, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S.482 OF CR.P.C PRAYING TO QUASH THE CHARGE SHEET DATED 26.01.2023 VIDE ANNEXURE C IN CR.NO.166/2022 REGISTERED FOR THE OFFENCE P/US/ 498-A,504,506 OF IPC R/W SEC.4 OF DP ACT 1961 BY BASAVANAGUDI WOMEN POLICE STATION AND ALL FURTHER PROCEEDINGS PENDING IN C.C.NO.6113/2023 ON THE FILE OF THE 37th ACMM COURT, NRUPATHUNGA ROAD, BENGALURU CITY.

THIS PETITION HAVING BEEN RESERVED FOR ORDERS ON 17.09.2026 COMING ON FOR PRONOUNCEMENT THIS DAY, THE COURT MADE THE FOLLOWING:

CORAM: HON'BLE MR. JUSTICE RAJESH RAI K

CAV ORDER

1. This petition is filed under Section 482 of Cr.P.C. seeking to quash the proceedings in C.C.No.6113/2023 arising out of Crime No.166/2022 registered by respondent No.1 - police against the petitioner for the offences punishable under Section 498A, 504, 506 of IPC and Section 4 of Dowry Prohibition Act, 1961.

2. The brief facts of the case, as pleaded, are that respondent No.2 married the petitioner on 08.06.1997 in accordance with Hindu rites and customs. From the wedlock, they have a daughter, namely, Ms. Prerana, who is presently aged about 25 years and is stated to be suffering from autism. Further, owing to serious differences of opinion between

respondent No.2 and the petitioner, respondent No.2 instituted M.C. No.2869/2022 seeking dissolution of the marriage. She also instituted O.S. No.192/2022 seeking a declaration that she is the absolute owner of one-half share in the properties jointly owned by herself and the petitioner, and O.S. No.193/2022 seeking an order of injunction restraining the petitioner from alienating the said property. In addition thereto, respondent No.2 instituted Crl. Misc. No.339/2022 seeking maintenance for herself and her daughter, and Crl. Misc. No.82/2022 seeking maintenance as well as litigation expenses. On the other hand, the petitioner has instituted G. & W.C. No.119/2022 seeking custody of their daughter.

3. It is the case of respondent No.2 that, although her marriage with the petitioner was solemnized in the year 1997, the petitioner and his family members used to taunt and harass her in connection with dowry and that she was continuously neglected by them. According to respondent No.2, after the birth of their daughter on 19.11.1998, who was subsequently diagnosed with autism, the petitioner and his family members cursed and blamed her for the condition of the child. It is further alleged that respondent No.2 was thereafter burdened with the responsibility of taking care of her daughter, on

account of which she was unable to devote sufficient attention to her career.

4. Respondent No.2 further alleges that, thereafter, the petitioner subjected her to ill-treatment, behaved aggressively towards her, abused her in filthy and abusive language and, on certain occasions, exposed his private parts in her presence as well as in the presence of their daughter, thereby outraging the modesty of respondent No.2 and her daughter. In support of the said allegations, respondent No.2 has produced photographs along with her statement of objections.

5. It is the further case of respondent No.2 that, unable to bear the alleged acts of cruelty and harassment, she was constrained to institute M.C.No.4273/2021. However, the said proceedings were subsequently withdrawn on the assurance of the petitioner that the disputes between them could be resolved mutually.

6. According to respondent No.2, thereafter, the petitioner insisted that she convey her interest in the property situated at J.P. Nagar, which was jointly owned by the petitioner and respondent No.2. When respondent No.2 resisted the said demand, the petitioner allegedly assaulted her in the presence

of her daughter. It is alleged that the said conduct of the petitioner caused severe fear and distress to their daughter, who was thereafter required to undergo treatment.

7. In the circumstances, respondent No.2, having allegedly been left with no other alternative, lodged a complaint against the petitioner. Pursuant thereto, respondent No.1 – Police registered FIR in Crime No.166/2022 for the offences punishable under Sections 498A, 354A, 509, 323, 504 and 506 of the Indian Penal Code, 1860, read with Section 4 of the Dowry Prohibition Act, 1961.

After investigation, however, the respondent No.1 – Police filed a charge-sheet against the petitioner for the offences punishable under Sections 498A, 504 and 506 of IPC and Section 4 of the Dowry Prohibition Act, while submitting a 'B-report' in respect of the offences punishable under Sections 354A, 509 and 323 of the Indian Penal Code.

8. Heard the learned counsel for the petitioner, learned counsel for respondent No.2 and learned HCGP.

9. Learned counsel appearing for the petitioner would contend that, though the marriage between the petitioner and respondent No.2 was solemnized in the year 1997, respondent

No.2 lodged the complaint only in the year 2022, nearly 25 years after the marriage, alleging, *inter alia*, harassment in connection with dowry. It is therefore contended that the charge-sheet filed against the petitioner alleging dowry harassment is an abuse of the process of law.

10. With regard to the offences punishable under Sections 498A, 504 and 506 of the Indian Penal Code, learned counsel would contend that, though respondent No.2 has produced certain photographs, no wound certificate or other medical records have been produced in support of the alleged assault. Further, there is no material to indicate the date, time or circumstances in which the alleged injuries were sustained. It is submitted that mere production of photographs, without any corroborative material, would not, by itself, establish cruelty or the commission of the alleged offences by the petitioner.

11. Learned counsel would further contend that the statements of the witnesses recorded during the course of investigation are largely hearsay in nature and, therefore, cannot constitute sufficient material to proceed against the petitioner. It is also contended that respondent No.2, in

collusion with the said witnesses, has sought to set the criminal law in motion against the petitioner.

12. Accordingly, learned counsel would submit that the essential ingredients of Sections 498A, 504 and 506 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act, 1961, are not made out against the petitioner. Continuation of the criminal proceedings, in the absence of sufficient material constituting the alleged offences, would therefore amount to an abuse of the process of law.

13. Lastly, learned counsel would submit that the dispute between the parties arises out of a matrimonial relationship and that there is a possibility of an amicable settlement between them. On these grounds, he would seek to allow the petition and quash the proceedings pending against the petitioner.

14. *Per contra*, learned counsel appearing for respondent No.2 would contend that, though the petitioner and his family members had allegedly been demanding dowry and subjecting respondent No.2 to harassment since the birth of their daughter, respondent No.2 did not immediately initiate criminal proceedings, having regard to the condition of her daughter, who has been suffering from autism since birth. It is submitted

that respondent No.2 was primarily occupied with taking care of her daughter and had shouldered with the responsibility of her upbringing and treatment.

15. Learned counsel would further contend that, pursuant to the complaint lodged by respondent No.2, FIR in Crime No.166/2022 came to be registered against the petitioner for the offences punishable under Sections 498A, 354A, 509, 323, 504 and 506 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act, 1961. However, upon completion of investigation, respondent No.1-Police filed a charge-sheet against the petitioner only for the offences punishable under Sections 498A, 504 and 506 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act, while submitting a 'B-report' in respect of the offences punishable under Sections 354A, 509 and 323 of the Indian Penal Code.

16. It is further contended that, aggrieved by the filing of the 'B-report' in respect of the aforesaid offences, respondent No.2 lodged a complaint against the Sub-Inspector of Police before the Upalokayuktha. However, the said proceedings were subsequently closed.

17. Accordingly, learned counsel would contend that the allegations made by respondent No.2, coupled with the material collected during investigation, *prima facie* disclose the commission of the offences alleged against the petitioner.

18. Learned counsel appearing for respondent No.2 would further contend that, in support of the allegations of cruelty meted out to respondent No.2, she had furnished video recordings and photographs before respondent No.1 – Police. It is submitted that the photographs produced along with the statement of objections *prima facie* substantiate the allegations of cruelty levelled against the petitioner.

19. Learned counsel would further contend that the alleged act of the petitioner exposing his private parts in the presence of respondent No.2 as well as their daughter amounts to an act which outraged the modesty of respondent No.2 and the daughter. According to learned counsel, the said allegation is supported by the photographs placed on record. It is further submitted that the alleged conduct assumes significance having regard to the fact that the daughter was already suffering from autism.

20. On these grounds, learned counsel would contend that the material placed on record discloses *prima facie* grounds to proceed against the petitioner for the offences alleged against him and that continuation of criminal proceedings against the petitioner does not warrant interference in exercise of the inherent jurisdiction of this Court under Section 482 of the Code of Criminal Procedure. Accordingly, she would seek dismissal of the petition.

21. Learned HCGP also opposed the prayer in the petition.

22. I have given my anxious consideration to the submissions of learned counsel for the respective parties and perused the material on record.

23. As could be gathered from records, the averments made in the complaint *prima facie* disclose that respondent No.2 was subjected to harassment by the petitioner from the time of birth of their daughter. It is further borne out from the material on record that the daughter of respondent No.2 has been suffering from autism and that respondent No.2, being her mother, has been taking care of her for the past 25 years.

24. The photographs produced by respondent No.2 depict the injuries allegedly sustained by her. The photographs relating to

the petitioner also *prima facie* reflect his alleged attitude and conduct towards respondent No.2 as well as their daughter. These materials, when considered in the backdrop of the allegations contained in the complaint, cannot be brushed aside.

25. Having regard to the allegations made in the complaint and the material collected during the course of investigation, I am of the considered view that the ingredients of the offences punishable under Sections 498A, 504 and 506 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act, 1961, are *prima facie* attracted against the petitioner. However, the veracity of the allegations and the evidentiary value of the materials produced are matters which require consideration and adjudication in a full-fledged trial.

26. Quashing the criminal proceedings is called for only in a case where the complaint does not disclose any offence, or is frivolous, vexatious or oppressive. If the allegations set out in the complaint do not constitute offence of which cognizance has been taken by the magistrate it is open for this Court to quash the same. It is not necessary that a meticulous analysis of case should be done before trial to find out whether the case would end in conviction or acquittal. If it appears on a reading

of the complaint and consideration of the allegation therein, in the light of the statement made on oath that the ingredients of the offence are disclosed there would be no justification for this Court to interfere as held in the case of ***SAU. KAMAL SHIVAJI POKARNEKAR VS. STATE OF MAHARASHTRA AND OTHERS*** reported in ***2019 (14) SCC 350***.

27. In the instant case, the charge sheet materials discloses a *prima facie* case against the petitioner for the offences which he is charge sheeted. In such circumstances, the same has to be tested in detailed trial. Hence, without expressing any opinion on the merits of the case, suffice to hold that the proceedings cannot be quashed at this stage. Accordingly, the petition lacks merits and the same is ***dismissed***.

**SD/-
(RAJESH RAI K)
JUDGE**

PKS