

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

CRIMINAL PETITION No.7116 of 2015

Between:

K.Savitha

... Petitioner

and

The State of Andhra Pradesh rep. by its Public Prosecutor
and another

... Respondents

DATE OF JUDGEMENT PRONOUNCED: 11-08-2015

SUBMITTED FOR APPROVAL:

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

1. Whether Reporters of Local newspapers
may be allowed to see the Judgment? Yes/No
2. Whether the copies of judgment may be
marked to Law Reporters/Journals? Yes/No
3. Whether Their Ladyship/Lordship wish to
see the fair copy of the Judgment? Yes/No

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO
CRIMINAL PETITION No.7116 of 2015

ORDER :

This Criminal Petition is filed by the Petitioner/Accused No.3 under Section 482 Cr.P.C seeking to quash the proceedings in Crime No.25 of 2015 of Ozili Police Station, Nellore District registered for the offences punishable under Sections 498-A, 323 read with 34 I.P.C and Sections 3 and 4 of the Dowry Prohibition Act.

2) Heard the learned counsel for the petitioner and the 1st respondent-State represented by the Public Prosecutor before admission, before ordering notice to the 2nd respondent and perused the material on record.

3) A perusal of the petition shows that the petitioner is K.Savitha, D/o.late Krishnappa of Bangalore. A perusal of the F.I.R which sought for quash, shows that A-3 was named that is one Kavitha in which neither father's name nor husband's name mentioned muchless any particulars. The petitioner even not saying the police issued any notice under Section 161 Cr.P.C or Section 41-A Cr.P.C or Section 91 Cr.P.C. When the petitioner is no way required in the crime, even from perusal of the allegation, petitioner cannot assume as if she is A-3 by saying as if is wrongly mentioned. For no father's name or no address is mentioned, this petition under Section 482 Cr.P.C is not maintainable for no allegation or averment made against the

petitioner shown in the cause title concerned. This order will no way prejudice any right of her if she is arrayed as accused in the F.I.R by any subsequent memo to the F.I.R or in the final report to take recourse.

4) In the result, the criminal petition is dismissed. Consequently, the miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.11th August, 2015

KSH