

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.R.C.No.2799 of 2015

ORDER

The present criminal revision case is directed against the order dated 17.10.2015 passed in Crl.M.P.No.742 of 2015 in C.C.No.3629 of 2013 by the learned XIX Metropolitan Magistrate, Cyberabad at Miyapur, Kukatpally.

2. The petitioner herein lodged a complaint against respondents 2 to 6 herein for the offences punishable under Section 498-A IPC and under Sections 3 and 4 of Dowry Prohibition Act. After completion of investigation, the police filed charge sheet against her husband/A1 i.e., the first petitioner herein, by deleting the names of the other accused and the case was taken on file as C.C.No.3629 of 2013 against A1. In the said case, charges were framed and trial was also commenced. At that stage, the first respondent/State filed the impugned application under Section 319 Cr.P.C. seeking to issue summons to Dasari Ravindra, Dasari Bhavani, S. Yamini and

S. Narendra i.e, respondents 3 to 6 herein, since the evidence of P.Ws.1 and 2 discloses about the involvement of the said persons. By the order impugned, the trial Court having observed that the evidence of P.Ws.1 and 2 is silent with regard to the alleged demand of dowry by the said persons dismissed the said petition. Aggrieved by the same, the petitioner/de facto complainant filed the present revision.

3. Heard and perused the material on record.

4. In the order impugned, the trial Court observed that the evidence of P.Ws.1 and 2 does not disclose the ingredients of offence under Section 498-A IPC and under Sections 3 and 4 of Dowry Prohibition Act against respondents 3 to 6. Even the statements of P.Ws.1 and 2 recorded by the police under Section 161 Cr.P.C. and the report filed by P.W.1 do not disclose the demand of additional dowry by respondents 3 to 6. Therefore, this Court is of the view that the trial Court has rightly passed the impugned order and there is no need to interfere

with by this Court. However, it is left open to the petitioner that after examination of all the prosecution witnesses, if she is of the view that any offence is made out against respondents 3 to 6, she is at liberty to file a fresh application before the trial Court seeking to add them as accused.

5. Accordingly, the Criminal Revision Case is disposed of. Miscellaneous Petitions, if any, pending in this revision shall stand closed.

JUSTICE RAJA ELANGO

19th November, 2015

sj