

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

CRIMINAL PETITION No.5399 of 2013

ORDER:

Heard Sri Sasank, learned counsel for the petitioners and Sri Subba Reddy, learned counsel for the 2nd respondent and also learned Public Prosecutor on behalf of the 1st respondent-State.

The petitioners are the parents-in-law of the 2nd respondent-*de-facto* complainant. The *de-facto* complainant was married to the son of the petitioners herein by name Raghuram Ramesh on 19.08.2009 at Chintalpudi. It is alleged by the 2nd respondent that at the time of marriage, a sum of Rs.10,00,000/- has been paid as dowry apart from meeting other formalities. The 2nd respondent has taken to the matrimonial home at Kadapa and after few days, it is alleged that she has been brought back to her parents place and was left in the care and custody of her parents. However, her husband-A.1 used to visit on every weekend and spend time with her at her parents place. It was represented, as per the complaint of the 2nd respondent that A.1 was employed as Project Manager with HCL Company, a leading IT company and was working at Chennai. It appears number of times the 2nd respondent and her parents beseeched the 1st accused to take her for purpose of setting up a matrimonial home at the place where he is employed. Instead of conceding to the request, the husband of the 2nd respondent seems to have evaded the said responsibility. It appears on one occasion, the complainant surprised her husband by visiting him at Pune where he was employed at that moment and to her shock and dismay, she has noticed that her husband was living with another woman named as Madhavi. When the 2nd respondent, it seems made enquiries, the said Madhavi has disclosed that the husband of the 2nd respondent-A.1 has married her. That really triggered the complaint, which is registered as crime No.106 of 2012 on 03.08.2012 at Ponnur.

The police after investigating into the matter filed the charge sheet, C.C.No.30 of 2013 on the file of Additional Junior Civil Judge's Court, Ponnur, Guntur District. The petitioners herein are arrayed as A.2 and A.3 respectively. They sought for quashing the said charge sheet No.30 of 2013.

Sri Sasank, learned counsel for the petitioners would strenuously urge that the petitioners herein being the parents-in-law of the 2nd respondent, they are no way responsible for either relationship or the strain of relationship caused by and between the 2nd respondent and her husband, who is arrayed as A.1. It is his contention that the 2nd respondent with a view to exert pressure to make A.1 surrender to her dictates, the parents of A.1, the petitioners herein as well as the younger brother of A.1, who is employed at Bangalore was also roped in. He submit that since no allegation worth serious mention which attracts the offence alleged against the petitioners is made out in the complaint, the charge sheet must be quashed.

The contentions of the petitioners are not rested upon the material available as at present on record. The 2nd respondent, the victim has categorically alleged not only the acts of impropriety and mis-demnor of her husband, but also made specific allegations against the petitioners herein and their other son, who not only lent moral and physical support to the husband of the 2nd respondent-A.1, but have made an unjust demand for additional dowry. In spite of the 2nd respondent bringing to the notice of the petitioners herein that their son and her husband has been living with Madhavi, having married her at Pune, there are specific allegations made by the 2nd respondent-*de-facto* complainant against the petitioners herein and hence, a *prima facie* case is made out for proceeding against the petitioners herein.

Accordingly, this criminal petition is dismissed.

Sri Sasank as a last desperate attempt, request the Court to

order for dispensing with the presence of the petitioners herein before the Criminal Court. Such a request, if is based on any genuine reasons and factors must be made to the Court which is trying the offence, but no such request can be entertained at this stage.

Consequently, miscellaneous petitions, if any pending shall also stand dismissed.

JUSTICE NOOTY RAMAMOHANA RAO

26.06.2015
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