

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

Criminal Revision Case No.2268 of 2013

Between :-

Smt.M.Varalaxmi .. Petitioner

and

B.Janardhan Reddy and another .. Respondents

DATE OF JUDGMENT PRONOUNCED: 12th August, 2015

SUBMITTED FOR APPROVAL:

-

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

- | | |
|---|----|
| 1. Whether Reporters of Local Newspapers
may be allowed to see the Judgment? | No |
| 2. Whether the copies of Judgment may be
marked to Law Reporters/Journals | No |
| 3. Whether His Lordship wish to see
the fair copy of the Judgment? | No |

HON'BLE SRI JUSTICE M.S.K.JAISWAL

Criminal Revision Case No.2268 of 2013

ORDER:-

The petitioner filed the revision questioning the order of the learned Judicial Magistrate of First Class, Tandur, dated 21-08-2013, in CrI.S.R.No.3641 of 2012 in Cr.No.154 of 2012 of P.S.Tandur, by and under which the learned Magistrate has taken the cognizance of the complaint against her for the offence punishable under Sections 384 read with 511, 387, 504 and 506 IPC.

2. The facts in brief are as under:-

The respondent No.1 herein is the *de facto* complainant in Cr.No.154 of 2012 which is registered on 04-09-2012. The respondent/*de facto* complainant and his wife are said to be the practicing Advocates and also active in politics. The petitioner/accused, who was earlier the friend of the respondent/*de facto* complainant and his wife, has started a beauty parlour in the house in which the respondent/*de facto* complainant was living. Their relationship got strained due to certain disputes. The accused alleged that the respondent/*de facto* complainant and his wife started a bad propaganda in the town which tarnished the image of her beauty parlour. On the other hand, the respondent/*de facto* complainant alleged that the petitioner/accused is a lady who is involved in several crimes and is committing several acts in the town which are unbecoming of her. An incident is alleged to have taken place on 31-08-2012 wherein it is alleged that the respondent/*de facto* complainant and his wife have assaulted the mother and sister of the petitioner/accused and also alleged that the modesty of the sister of the petitioner/accused by name Sujata was outraged. With that allegation complaint was filed by the petitioner/accused on 12-09-2012. Insofar as the present complaint is concerned, the allegation is that the accused has threatened the respondent/*de facto* complainant with dire consequences and also threatened to implicate him falsely in some case or the other. The specific allegation of the respondent/*de facto* complainant is that on 30-08-2012 at about 09.46 p.m., the accused called him over his mobile and threatened to kill him and his wife, that the accused would tear her clothes and attempt suicide and attack his office with her family members and that a false case is registered against him and to avoid all these, the accused

demanded money from him. It is alleged that the accused visited his office on 01-09-2012 and repeated the threats in the presence of his clerk.

3. As noted above, two complaints were registered in between the parties. One complaint was based on the complaint of the petitioner/accused alleging certain offences on 31-08-2012 and that was lodged on 12-09-2012. The *de facto* complainant herein filed the present complaint alleging offences said to have taken place on 31-08-2012. This was filed on 04-09-2012. The investigating agency had enquired into both the complaints and filed final reports in both the matters stating that there is no sufficient evidence against the accused. Thereafter, the *de facto* complainant filed the protest petition and the learned Magistrate took cognizance of the present case. Similarly, as against the final report filed in the complaint of the petitioner/accused, the accused herein filed a protest petition and the learned Magistrate has taken cognizance of that case as well.

4. Having perused the material on record and the surrounding facts and circumstances of the case, considering the nature of the allegations that are specifically alleged in the complaint, the learned Magistrate cannot be said to have committed any irregularity or illegality in taking cognizance of the complaint against the petitioner/accused. The contention of the petitioner/accused that the present complaint is liable to be quashed is not sustainable and therefore the revision is liable to be dismissed.

5. In the result, the Criminal Revision Case is dismissed. Miscellaneous petitions, if any, pending in this revision shall stand closed.

M.S.K.Jaiswal, J

12th August, 2015
smr