

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

CRIMINAL PETITION No.6686 of 2015

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Between :

Smt.Alishettywar Saraswathi W/o.late Suryakanth Rao
and two others

... Petitioners/Accused Nos.2 to 4

AND

The State of Telangana
Rep. by its Public Prosecutor
and another.

... Respondents

DATE OF JUDGMENT PRONOUNCED: 28.07.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

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| 1. | Whether Reporters of Local
newspapers may be allowed to see
the Judgments? | 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

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.6686 of 2015

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ORDER :

This criminal petition is filed by the petitioners/A.2 to A.4 under Section 482 Cr.P.C seeking to quash the proceedings in C.C.No.10 of 2015 on the file of the learned Additional Judicial First Class Magistrate, Bodhan, Nizamabad District.

2. Heard the learned counsel for the petitioners of C.C.No.10 of 2015, where the learned Magistrate has taken cognizance for the offences punishable under Section 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961, which is out come of report of the *de facto* complainant-2nd respondent herein in Crime No.188 of 2014 of Renjal Police Station, and also the 1st respondent-State represented by the Public Prosecutor and perused the material on record.

3. The material falls short for this Court even to admit the application under Section 482 Cr.P.C. to quash the proceedings in C.C.No.10 of 2015.

4. Hence, the criminal petition is disposed of giving liberty to the petitioners to file an application under Section 239 Cr.P.C. for discharge before the learned Magistrate, if there are no grounds to frame charges under Section 240 Cr.P.C., the learned Magistrate there from to consider only from the prosecution material on own merits and pass appropriate orders. Needless to say further, in the event of filing any application by the accused persons including these

petitioners under Rule 37 of the Criminal Rules of Practice, the learned Magistrate shall hear and permit them so to represent with necessary conditions. Further remedy, if any, is left open to the petitioners.

5. Miscellaneous petitions pending, if any, shall stand dismissed.

Dr. B. SIVA SANKARA RAO, J

28th July 2015.

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