

HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

CRIMINAL PETITION No.14367 of 2013

ORDER :

This Criminal Petition, under Section 482 Cr.P.C., is filed by the petitioners/A.1 and A.2 seeking to quash the proceedings in C.C.No.1103 of 2013 on the file of VI Metropolitan Magistrate, Medchal, Cyberabad, Ranga Reddy District, re-numbered as C.C.No.48 of 2015 on the file of XXI Metropolitan Magistrate, Cyberabad, Malkajgiri-Medchal District, registered against them for the offences punishable under Sections 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act.

2. The brief facts of the case of the prosecution are that, the 2nd respondent – defacto-complainant has lodged a complaint against the petitioners/A.1 and A.2 stating that her marriage was performed with petitioner No.1 - L. Shreenath on 13.02.2008 at Pushpagiri Mutt, Tirumala Tirupati Devasthanam. After the marriage, both of them stayed at Flat No.G2, 1st Floor, East Marredpally, Secunderabad. Since the date of marriage, her husband was addicted to bad habits and used to consume heavy dose of liquor and smoke. Her husband and father-in-law started harassing her physically and mentally demanding to bring additional dowry, failing which they will sell her in Red Light area at Chennai. Petitioner No.1 lost his job because of his bad vice of

consuming liquor. As the 2nd respondent's father was not in a position to meet their demand of additional dowry, on 12.01.2012, petitioner No.1 picked the hair of the 2nd respondent and forcibly hit her head to the wall. The 2nd respondent's father-in-law also slapped and beat her severely. Unable to bear the continuous physical and mental harassment by the petitioners, the 2nd respondent intended to commit suicide. It is stated that she came to know through *facebook* website that her husband contacted second marriage with one Anitha. She also stated that her husband had taken away her Mangalasutra chain and black beads stating that he has to pledge the same as he urgently required some amount, however, later she found the said Mangalasutra chain and black beads in the photos of Anitha in the *face book* and, therefore, she thought that her husband might have gifted the same to his second wife – Anitha. She made several other allegations that her property, gold and sarees are in the custody of petitioner No.1 - her husband, and also demand of additional dowry by him. The complaint of the 2nd respondent-defacto-complainant was registered as Crime No.320/2013 of Alwal Police Station, Cyberabad, for the offences punishable under Sections 498-A IPC and Sections 3 and 4 of Dowry Prohibition Act.

3. Heard learned counsel for the petitioners and the learned Public Prosecutor appearing on behalf of respondent No.1. Notice sent to respondent No.2 returned with an

endorsement 'unclaimed' and there is no representation on her behalf.

4. Learned counsel for the petitioners submits that investigation is completed and charge sheet has been filed against the petitioners/A.1 and A.2 and the case is coming up for trial. He further submitted that respondent No.2 had married and living in Canada. He, therefore, requested that a direction may be given to the trial Court to complete the trial expeditiously.

5. Learned Public Prosecutor also submits that the entire investigation is completed and charge sheet has been filed.

6. Having regard to the above facts and circumstances, I see no grounds to quash the proceedings in this matter and the Criminal Petition is liable to be dismissed.

7. Accordingly, this Criminal Petition is dismissed. However, the trial Court is directed to dispose of C.C.No.48 of 2015 expeditiously within a period of two months from the date of receipt of a copy of this order.

8. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

GUDISEVA SHYAM PRASAD, J

19.03.2018.
Msr

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