

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**MONDAY, THE SIXTH DAY OF JUNE
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION NO: 4305 OF 2022

Between:

1. A. Pushpa, W/o. Late A. Laxmaiah Aged about 61 years, Occ. House Hold R/o. H. No. 7-1-213/1, Mankamma Thota, Karimnagar District
2. A. Nagaraju, S/o. Late A. Laxmaiah Aged about 41 years, Occ. Govt Employee R/o. H. No. 7-1-213/1, Mankamma Thota, Karimnagar District

...PETITIONER/ACCUSED No.2 & 4

AND

1. The State of Telangana, Represented by its Public Prosecutor High Court of Judicature at Hyderabad through Women P.S. Begumpet Secunderabad,
2. A. Sandhya, D/o. Deshaboina Ramchander, Aged about 30 years, Occ. House Wife. R/o. H. No. 12-11-913, Warasiguda, Secunderabad

...RESPONDENTS/COMPLAINANTS

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash the C.C No 147 of 2017 on the file of the Honourable XV Additional Chief Metropolitan Magistrate at Nampally and WPS Begampet so far as petitioners are concerned .

I.A. NO: 1 OF 2022

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to dispense the appearance of the Petitioners for proceedings in C.C.No. 147 OF 2017 on the file of the Honourable XV Additional Chief Metropolitan Magistrate At Nampally, pending disposal of the above Criminal Petition .

I.A. NO: 2 OF 2022

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to stay all further proceedings in C.C No. 147 OF 2017 on the file of the Honourable XV Additional Chief Metropolitan Magistrate at Nampally and WPS, Begampet including arrest of Petitioners, pending disposal of the above Criminal Petition .

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri VENU CHEGGAM ,Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No.1 ,

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION No.4305 OF 2022

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C., to quash the proceedings in C.C.No.147 of 2017, pending on the file of XV Additional Chief Metropolitan Magistrate at Nampally. The petitioners herein are Accused Nos.2 and 4 in the said C.C. The offences alleged against them are under Section 498-A and 406 of IPC and Sections 4 and 6 of Dowry Prohibition Act, 1961.

2. Heard the learned counsel for the petitioners and the learned Public Prosecutor. Perused the record.

3. Perusal of the charge sheet would reveal that the marriage of A-1 with the 2nd respondent was performed on 26.02.2012. Thereafter, matrimonial disputes arose between them. *Prima facie*, there are certain allegations against the petitioners herein. They are triable issues and the petitioners have to face trial and prove their innocence. This Court cannot go into the same in an application filed under Section 482 Cr.P.C. Therefore, this Court is not inclined to quash the

proceedings in C.C.No.147 of 2017. The 1st petitioner is aged mother and 2nd petitioner, Government Employee is brother of A-1. In matrimonial disputes, identification of parties is not in dispute.

4. Considering the above said facts, this Criminal Petition is disposed of dispensing with the presence of petitioners hercin/A-2 and A-4 in C.C.No.147 of 2017, pending on the file of XV Additional Chief Metropolitan Magistrate at Nampally. However, they shall appear before the said Court as and when their presence is required.

Miscellaneous Pctitions, pending if any, shall stand closed.

//TRUE COPY//

SD/-K.ONESIM
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The XV Additional Chief Metropolitan Magistrate at Nampally, Hyderabad.
2. The Station House Officer, Begumpet Police Station, Secunderabad.
3. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to SRI VENU CHEGGAM, Advocate [OPUC]
5. Two CD Copies
6. One Spare Copy

CDL



HIGH COURT

DATED: 06/06/2022



ORDER

CRLP.No.4305 of 2022

DISPOSING OF THE CRIMINAL PETITION

⑧ *vw*
27/6/22