

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

**TUESDAY, THE SEVENTH DAY OF JUNE
TWO THOUSAND AND TWENTY TWO**

**PRESENT
THE HONOURABLE SRI JUSTICE K.LAKSHMAN**

CRIMINAL PETITION NO: 4563 OF 2022

Between:

1. Yeluguri Bhavani, W/o. Uma Maheswar Rao,
2. Yeluguri Uma Maheswar Rao, S/o.Mallaiah,

...PETITIONERS/ACCUSED NO.2 & 3

AND

1. The State of Telangana, Represented by its Public Prosecutor, High Court for the State of Telangana, at Hyderabad
2. Smt. Yeluguri Pravallika, W/o.Kapil, D/o.K.Srinivasulu,

...RESPONDENTS

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 impugned proceedings in C.C. No.118 of 2020 on the file of the Judicial First Class Magistrate at Devarakonda, in so far as the petitioners / accused No. 2 and 3 are concerned, in the interest of justice.

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 grant interim stay of all further proceedings in impugned C.C. No.118 OF 2020 on the file of the Judicial First Class Magistrate at Devarakonda, in so far as the petitioners / accused No. 2 & 3 are concerned, including appearance of the petitioners.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri K.SAI BABU, Advocate for the Petitioners and of the Public Prosecutor (TG) on behalf of the Respondent No.1.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION No.4563 of 2022

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C., to quash the proceedings in C.C.No.118 of 2020 pending on the file of the Judicial Magistrate of First Class, Devarakonda. The petitioners herein are accused Nos.2 and 3 in the said C.C. The offences alleged against them are under Section 498-A of IPC and Section 4 of Dowry Prohibition Act.

2. Heard learned counsel for the petitioners and learned Public Prosecutor for the State. Perused the record. With their consent this Criminal Petition is disposed of, at the admission stage.

3. As per the complaint dated 11-11-2019 the marriage of A-1 with 2nd respondent was performed on

24-11-2017. Thereafter matrimonial disputes arose between them. Perusal of the charge sheet in the said Calendar Case would reveal that *prima facie* there are certain allegations against the petitioners herein and they are triable issues. This Court cannot consider the same in an application filed under Section 482 of Cr.P.C. The petitioners have to face trial and prove their innocence. In view of the same, this Court is not inclined to quash the proceedings in C.C.No.118 of 2020 against the petitioners herein. However, in matrimonial disputes the identification of parties is not in dispute. Petitioners herein are aged parents of A1, aged about 56 and 62 years respectively.

4. However, considering the fact that the disputes between A-1 and 2nd respondent are matrimonial disputes, this Criminal Petition is disposed of dispensing with the presence of the petitioners herein / A-2 and A-3 only in C.C.No.118 of 2020 pending on the file of the

Judicial Magistrate of First Class, Devarakonda.
However, they shall appear before the said Court as and
when their presence is required.

Miscellaneous petitions, if any, pending in this
criminal petition, shall stand closed.

//TRUE COPY//

Sd/-M.MANJULA
ASSISTANT REGISTRAR


SECTION OFFICER

To

1. The Judicial First Class Magistrate, at Devarakonda.
2. The Station House Officer, Kondamallepally, Devarakonda, Nalgonda District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, Hyderabad (OUT)
4. One CC to Sri K.Sai Babu, Advocate (OPUC)
5. Two CD Copies
6. One Spare Copy

Kj.


HIGH COURT

DATED:07/06/2022



ORDER

CRLP.No.4563 of 2022

DISPOSING OF THE CRL.P.

07/07
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