

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

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

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION NO: 5477 OF 2022

Between:

1. Smt. V.Sharada, W/o Late Sugunakar Sharma, Aged about 55 years, Occ. Housewife R/o H.No.18-4-181, Near Sharada Degree College, Kalwagadda, Aliabad, Hyderabad.
2. Smt.Thondepally Karuna, W/o Thondepally Santhosh, Aged about 35 years, Occ. Housewife R/o Kalwakol Village,Maheshwaram Mandal, Rangareddy District,
3. Thondepally Santhosh Sharma, S/o Late T. Narsihma Sharma Aged about 43 years, Occ. Purohith, R/o Kalwakol Village,Maheshwaram Mandal, Rangareddy District.

...PETITIONER/ACCUSED No 3 to 5

AND

1. The State of Telangana, through SHO Shalibanda PS, Rep. by Public Prosecutor, High Court of Telangana.
2. Smt. Pooja, W/o V.Raghavendra Sharma, R/o H.No.18-4-181, Near Sharada Degree College, Shalibanda, Hyderabad.

...RESPONDENTNoS/ 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 CC. No. 9308 of 2021 on the file of XIII Additional Chief Metropolitan Magistrate, Hyderabad at Manoranjan Complex.

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 STAY all further proceedings including the appearance of the petitioners herein in CC no 9308 of 2021 before the court of XIII Additional Chief Metropolitan Magistrate, Hyderabad at Manoranjan Complex, pending disposal of the main criminal petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri V RAMESH KUMAR, Advocate for the Petitioner and the Public Prosecutor (TG) on behalf of the Respondent No. and of Sri, Advocate for the Respondent No1.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION No.5477 of 2022

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C., to quash the proceedings in C.C.No.9308 of 2021 pending on the file of the XIII Addl. Chief Metropolitan Magistrate, Hyderabad at Manoranjan Complex. The petitioners herein are accused Nos.3 to 5 in the said C.C. The offences alleged against them are under Sections 498-A, 354(A), 504 and 506 of IPC.

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 30-04-2021 the marriage of A-1 with 2nd respondent was performed on 07-01-2021. Thereafter matrimonial disputes arose

between them. As per the complaint the allegations leveled against the accused are that they tortured the defacto complainant regarding additional dowry and they also threatened her to kill and abused her in filthy language. She also alleged that A-2 to A-5 tried to spoil her reputation by making false statements regarding her character. She further alleged that A-2 harassed her sexually by torturing her physically. 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.9308 of 2021 against the petitioners herein. However, in matrimonial disputes the identification of parties is not in dispute. Petitioner No.1 is mother,

petitioner No.2 is married sister and petitioner No.3 is brother-in-law of A-1.

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-3 to A-5 only in C.C.No.9308 of 2021 pending on the file of the XIII Addl. Chief Metropolitan Magistrate, Hyderabad at Manoranjan Complex. 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.

Sd/-T.SRINIVAS
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

- To,
1. The XIII Additional Chief Metropolitan Megistrate ,Hyderabad.
 2. One CC to SRI. V RAMESH KUMAR Advocate [OPUC]
 3. TWO CC to The Public Prosecutor(TG), High Court for the State Of Telangana[OUT]
 4. Two CD Copies
 5. One Spare Copy

GSA

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HIGH COURT

DATED:27/06/2022

ORDER

CRLP.No.5477 of 2022



DISPOSING OF THE CRIMINAL PETITION

⑦ Copies

Sm
27/7/22