

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

MONDAY, THE NINTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL
CRIMINAL PETITION NO: 7056 OF 2015

Between:

1. R. Srinivasulu, S/o. Late R. Ramanna Occ Retd Proff, R/o. Flat No 108, Block No.A-20, Samskruthi TownShip, Pocharam, Hyderabad.
2. Smt. R. Uma Devi, W/o. Sri R. Srinivasulu, Occ Housewife, R/o.Flat No. 108, Block No. A-20, Samskruthi TownShip, Pocharam, Hyderabad

...Petitioners/Accused 2 & 3

AND

1. State of Telangana , rep., Public Prosecutor, High Court Buildings, Hyderabad.
2. Smt. Ramya Lanka, W/o. Ravoori Vamsi Krishna, Occ: Housewife, R/o. Flat no. 302, Plot No. 92 Aparajitha Apartments, Shanti Nagar, Hyderanad-500 028.

...Respondents/ Defacto 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 proceedings against the petitioners/Accused No.2 and 3 in C.C.No.251 of 2014 on the file of XIII Additional Chief Metropolitan Magistrate, City Criminal Courts, Nampally, Hyderabad to secure the ends of justice.

I.A. NO: 1 OF 2015(CRLPMP. NO: 6975 OF 2015)

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 stay of all further proceedings including the personal appearance of petitioners/Accused No. 2 and 3 C.C.No. 251 of 2014 on the file of XIII Additional Chief Metropolitan Magistrate, City Criminal Courts, Nampally, Hyderabad pending disposal of the above Crl. Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri M V Santha Kumari, Advocate for the Petitioner and the Public Prosecutor (TG/AP) on behalf of the Respondent No. 1 and of Sri N. Harinath for the Respondent No. 2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE E. V. VENUGOPAL

CRIMINAL PETITION No.7056 OF 2015

ORDER:

The present Criminal Petition is filed seeking to quash the proceedings in C.C.No.251 of 2014 passed by the learned XIII Additional Chief Metropolitan Magistrate, City Criminal Courts, Hyderabad.

2. Heard the learned counsel for the petitioner as well as learned Assistant Public Prosecutor appearing for respondent-State. Perused the record.

3. Brief facts of the case are that the marriage of LW1/*de facto* complainant, who is the respondent No.2 herein with accused No.1 (Mr. Ravoori Vamshi Krishna) was performed on 24.09.2009 in the presence of both side elders and well wishers at TTD Kalyana Mandapam, Ananthapur in a grand manner. At the time of marriage, as per the demands of accused No.1 and his family members, the parents of LW1/*de facto* complainant gave about 45 lakhs dowry, 35 Tulas gold, 5 lakh worth gold to accused No.1, one and half Kg Silver, 900 square yards plot. After marriage, LW1/*de facto* complainant joined her matrimonial house at Ananthapur.

4. Later on accused No.1 and his family members started harassing LW1 stating that the marriage was not performed in good manner and dowry was not given enough. Accused No.1 was habituated for alcohol and used to beat LW1 but the parents of accused No.1 never say anything to him and used to instigate against LW1 to beat her. Due to their unbearable harassment LW1 informed the same to her parents, her parents arranged additional dowry. Accused No.1 took LW1 gold jewellery and mortgaged for his business. After some days, LW1 and accused No.1 shifted to Hyderabad. Accused No.1 used to avoid LW1 and he never stayed in the house and used to spend outside. When LW1 asked about the same, he says he is staying with his friends.

5. LW1 once noticed a Doctor Slip and she enquired the same and she came to know that accused No.1 married to Ms. Pallavi who is the petitioner/accused No.5 herein with the support of his parents and sister and also had one son with that lady. Once accused No.1 brought the said lady with baby to their house. LW1 noticed that lady is wearing some of gold jewellery belonging to L.W.1 and asked about the lady and baby. Accused No.1 replied that he will give that baby to his sister on adoption and requested LW1 to accept and act as his mother in records. On her refusal accused No.1 and his parents threatened LW1 with

dire consequences and thrown her out of the house in night time. Having no other option LW1 took shelter at her parents. Elders tried to sort out the problem but their efforts went in vain.

6. The petitioner/accused No.5 has married to accused No.1 and she was blessed with one child Ravoori Sai Charan Naidu and she came to the house of accused No.1 and stayed there as unknown women, accused No.5 has given adoption to his son Ravoori Sai Charan Naidu to accused No.1's sister Swapna. Respondent No.2 lodged a complaint against accused No.1 and his family members and accused No.5. LW-16 Inspector of Police registered a case in Crime No.22 of 2014 under Sections 498-A, 406 and 420 IPC and Sections 4 and 6 of D.P. Act, charge sheet was filed and which was taken on file as C.C.No.251 of 2014.

7. Learned counsel for the petitioner/accused Nos.2 and 3 would submit that the petitioners herein have been arrayed as accused Nos.2 and 3 in the charge sheet laid down by the respondent-Police and whereas the names of the petitioners were not there in the F.I.R. No.22 of 2014 but out of the blue, the names of the petitioners have been figured/arrayed as accused No.2 and 3. So far as the allegations against the petitioners are concerned, they are false and baseless and they will not sustain

the scrutiny of law. Hence seeks to allow the Criminal Petition by quashing the proceedings in C.C.No.251 of 2014.

8. On the other hand, learned Assistant Public Prosecutor appearing for respondent-State would submit that the respondent-Police have conducted investigation thoroughly and upon the said investigation, it has been elicited that the accused No.1 in the present crime has got married to one D. Pallavi, D/o. late D. Satyanarayana Murthy, who is petitioner in Crl. Petition No. 7055 of 2015 and she gave birth to Ravoori Sai Charan Naidu at Harsha Hospital, Kukatpally and the investigating officer procured the birth certificate of Ravoori Sai Charan Naidu, names of the parents appeared as Ravoori Vamshi Krishna and Ravoori Pallavi. He further submits that this is the matter of trial and interference of this Court at this stage is unwarranted and hence seeks to dismiss the Criminal Petition.

9. Recording the submissions made by the learned counsel for the petitioners as well as the learned Assistant Public Prosecutor appearing for respondent-State, this Court without making any observation on the aspect of the charge sheet filed against accused Nos.2 and 3, is of the opinion that this matter needs thorough trial. Since this matter has been pending since long time, therefore, this Court feels it appropriate to direct the learned

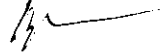
trial Court to conduct and conclude the trial as expeditiously as possible, preferably within in a period of six months from the date of receipt of the copy of this order.

10. Accordingly, the Criminal Petition is disposed of. However, the appearance of the petitioners/accused Nos.2 and 3 is dispensed with unless and until it is required by the trial Court.

Pending miscellaneous applications, if any, shall stand closed.

SD/- N. CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

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SECTION OFFICER

To,

1. The XIII Additional Chief Metropolitan Magistrate, City Criminal Courts, Nampally, Hyderabad.
2. One CC to SRI. M V Santha Kumari, Advocate [OPUC]
3. One CC to SRI. N. Harinath, Advocate [OPUC]
4. Two CC's to the Public Prosecutor, High Court for the State of Telangana, Hyderabad. [OUT]
5. Two CD Copies

SWT

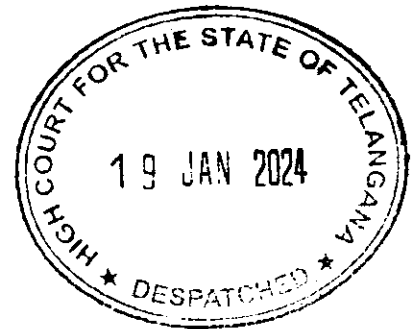


HIGH COURT

DATED: 09/10/2023

ORDER

CRLP.No.7056 of 2015



CRIMINAL PETITION IS DISPOSED OF

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