

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

MONDAY, THE FOURTEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SMT JUSTICE G.ANUPAMA CHAKRAVARTHY

CRIMINAL PETITION NO: 7634 OF 2023

Between:

Rangam Sravan Kumar, S/o Late Shyam Sunder, Occ.Private Employee, R/o H.No.
2-6-32, Sikhwada, Market Road, Karimnagar.

...Petitioner/Accused Nos.1 & 2

AND

1. The State of Telangana, Rep by Sub-Inspector of Police P.S, WPS Warangal-I, Warangal District.Rep by Public Prosecutor, High Court of Telangana, Hyderabad.

...Respondent/Complainant

2. Rangam Keerthi, W/o Shravan Kumar, R/o H.No.11-23-2403/B, Navayuga Colony, Deshaipet, Warangal.

...Respondent/Defacto-Complainant

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 call for the records relating to and in connection with Charge sheet filed in CC. No.189/2023 on the file of The Court Of Principal Junior Civil Judge-Cum-Principal Judicial Magistrate Of First Class At Hanamakonda, and quash the same against the petitioners/Accused No. 1 and 2.

I.A. NO: 1 OF 2023

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 appearance of the Petitioners/Accused No. 1 and 2 in connection with chargesheet i.e., CC. No.189/2023 on the file of The Court Of Principal Junior Civil Judge-Cum-Principal Judicial Magistrate Of First Class At Hanamakonda.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri V NITESH, Advocate for the Petitioner, Sri S. GANESH, Assistant Public Prosecutor, on behalf of the Respondent No.1 and None appeared for the Respondent No.2

The Court made the following:

HON'BLE SMT. JUSTICE G. ANUPAMA CHAKRAVARTHY

CRIMINAL PETITION No.7634 OF 2023

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioners/accused Nos.1 & 2 to quash the proceedings against them in C.C.No.189 of 2023, pending on the file of the learned Principal Junior Civil Judge-cum-Principal Judicial Magistrate of First Class at Hanamakonda for the offence punishable under Sections 498(A), 506, 323 of Indian Penal Code and Section 4 of the Dowry Prohibition Act, 1961.

2. Heard learned counsel for the petitioners/accused Nos.1 & 2 and Sri S.Ganesh, learned Assistant Public Prosecutor for respondent No.1 – State. Perused the record.

3. It is contended by the learned counsel for the petitioners/accused Nos.1 & 2 that the petitioners/accused Nos.1 & 2 are innocent and a false case has been foisted against them by respondent No.2/*de-facto* complainant. It is further contended that the police are not properly investigating the case and the charge sheet is nothing but replica of the contents of the complaint. Therefore, prayed to quash the proceedings against them.

4. On the other hand, learned Assistant Public Prosecutor contended that it is not a fit case to quash the proceedings against the petitioners/accused Nos.1 & 2 at this juncture, as the matter has to be decided after conducting trial by the Court below.

5. Taking into consideration of the fact that petitioner No.2/accused No.2, who is the mother of the petitioner No.1/accused No.1 is senior citizen and the entire allegations are made against petitioner No.1/accused No.1, who is husband of respondent No.2, this Court is of the considered view that the appearance of petitioner No.2/accused No.2 before the Principal Junior Civil Judge-cum-Principal Judicial Magistrate of First Class at Hanamakonda in C.C.No.189 of 2023 is dispensed with, unless her appearance is required by the trial Court for a specific purpose or at the time of recording her examination under Section 313 Cr.P.C and on the date of pronouncement of judgment. However, the appearance of petitioner No.1/accused No.1 is not dispensed with. Further, the petitioners/accused Nos.1 & 2 are at liberty to make appropriate application before the trial court seeking discharge. On such application being filed, the trial Court shall consider the same and if *prima-facie* no incriminating material is available against the petitioners/ accused Nos.1 & 2, the trial Court shall dispose of the same without being

influenced by any of the observations made by this Court in the present order.

6. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications pending, if any, shall stand closed.

**SD/- C. PRAVEEN KUMAR
ASSISTANT REGISTRAR**

//TRUE COPY//

CR3

SECTION OFFICER

To,

1. The Principal Junior Civil Judge-Cum-Principal Judicial Magistrate Of First Class At Hanamakonda
2. The Station House Officer, Police Station WPS Warangal-I, Hanumakonda District.
3. Two CCs to PUBLIC.PROSECUTOR, High Court for the State of Telangana, Hyderabad.[OUT]
4. One CC to SRI. V NITESH, Advocate [OPUC]
5. Two CD Copies

SS
SP



HIGH COURT

DATED:14/08/2023

ORDER

CRLP.No.7634 of 2023



CRIMINAL PETITION IS
DISPOSED OF

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JLMA
—
26/9/2023