

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

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

:PRESENT:

THE HONOURABLE SMT JUSTICE G.ANUPAMA CHAKRAVARTHY

CRIMINAL PETITION NO: 10244 OF 2023

Between:

V. Manjula Devi, W/o V Narsimha Rao, R/o. Plot No.25, DP Nagar, Shailajapuri Colony, Manoosrabad, Ranga Reddy District, village of Sangem Mandal, Warangal District, Telangana.

...Petitioner/Accused No.3

AND

1. The State of Telangana, Rep. by its Public Prosecutor High Court, Hyderabad.

...Respondent

2. B.Satyavathi, W/o. B.Madhusudan, R/o. H.No. 103-109/89, Teachers Colony, East Maredpally, Secunderabad.

...Respondent/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. 352 of 2015 on the file of XV Additional Chief Metropolitan Magistrate at Hyderabad.

I.A. NO: 2 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 in C.C.No. 352 of 2015 on the file of XV Additional Chief Metropolitan Magistrate at Hyderabad, including arrest of the Petitioner, 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 RAPOLU BHASKAR, 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: ORDER

HON'BLE SMT. JUSTICE G. ANUPAMA CHAKRAVARTHY

CRIMINAL PETITION No.10244 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 petitioner/accused No.3 to quash the proceedings against her in C.C.No.352 of 2015 pending on the file of the XV Additional Chief Metropolitan Magistrate at Hyderabad. The offences alleged against the petitioner are punishable under Sections 498-A, 406 of IPC and Sections 4 and 6 of Dowry Prohibition Act, 1961.

02. Heard learned counsel for the petitioner and Sri S.Ganesh, learned Assistant Public Prosecutor for respondent No.1-State. Perused the record.

03. It is the specific contention of the learned counsel for the petitioner that the petitioner is sister of accused No.1, who is husband of respondent No.2 and she is falsely roped into the case. It is further contended that even the contents of complaint show that bald and general allegations are made against the petitioner and there are

no specific allegations against her. Therefore, it is prayed to quash the proceedings against her.

04. On the other hand, learned Assistant Public Prosecutor vehemently opposed to quash the proceedings against the petitioner as police have investigated the case and filed charge sheet against her. He further contended that it is not a fit case to quash the proceedings against the petitioner at this juncture and the matter is to be decided after conducting trial by the Court below.

05. Taking into consideration the fact that bald and general allegations are made against the petitioner/accused No.3, the appearance/attendance of petitioner/accused No.3 before the XV Additional Chief Metropolitan Magistrate at Hyderabad, in C.C.No.352 of 2015, is dispensed with, unless her presence is required by the Trial Court for a specific purpose, or at the time of recording their examination under Section 313 Cr.P.C., and on the date of pronouncement of Judgment. However, the petitioner/accused No.3 is at liberty to file discharge petition and on such petition being filed, the Trial Court

shall dispose of the same on merits within three (3) weeks from the date of filing of the said petition, uninfluenced by any of the observations made in this Order.

06. Accordingly, this Criminal Petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

Sd/-A.V.S PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XV Additional Chief Metropolitan Magistrate at Hyderabad.
2. The Station House Officer, Women Police Station Begumpet, Hyderabad District.
3. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana, Hyderabad.[OUT]
4. One CC to SRI. RAPOLU BHASKAR, Advocate [OPUC]
5. Two CD Copies
SP/SP



HIGH COURT

DATED:16/10/2023

ORDER

CRLP.No.10244 of 2023



DISPOSING THE CRIMINAL PETITION

(8) vw
1/11/23