

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

MONDAY, THE SECOND DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 11907 OF 2022

Between:

1. Polaju Ramulamma, W/o Brahma Chary Occ: House wife , Aged about 48 years, R/o H.No. Plot No.10, Adithya Nagar, Phase I, Gurranguda, Balapur, R.R.Dist..
2. Polaju Brahma Chary, S/o Late Narsimha Chary, Occ- Carpenter, Aged about 51 years, R/o H.No. Plot No.10, Adithya Nagar, Phase I, Gurranguda, Balapur, R.R.Dist.
3. Chennoju Jhansi @ Madhavi, W/o Chennoju Naresh, Occ- House wife, Aged about 26 years, R/o H.No. 4-12-51/3, Road No.3, Arunodaya Nagar Hayath Nagar, R.R.District.
4. Salloju Venkata Chary, W/o Late Salloju Chandramouli Occ- Carpenter, Aged about 37 years, R/o H.No. Plot No.10, Adithya Nagar, Phase I, Gurranguda, Balapur, R.R.Dist.
5. Salloju Lingamma, W/o Late Salloju Chandramouli, Aged about 62 years, Occ - House wife, H.No. Plot No.10, Adithya Nagar, Phase I, Gurranguda, Balapur, R.R.Dist.

...PETITIONER/ACCUSED No. 2 to 6

AND

1. State of Telangana, through Police PS Meerpet Through Public Prosecutor, High Court of Telangana, Hyderabad.

RESPONDENT

2. Polaju Supriya, W/o Polaju Naresh Chary, Aged about 23 years, Occ - House wife, R/o Bank Colony, Gurranguda, Ranga Reddy District.

...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 quash the CC No 5503 of 2022, on the file of VI Additional Metropolitan Magistrate, Cyberabad, Ranga Reddy courts complex at L.B.Nagar against the petitioners herein for the offence U/s 498-A, 323 r/w 34 of IPC and 3 and 4 of D.P.Act.

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 against the petitioners herein including their appearance for the offence U/s 498-A, 323 r/w 34 of IPC and 3 and 4 of D.P.Act of in CC No 5503 of 2022, on the file of VI Additional Metropolitan Magistrate, Cyberabad, Ranga Reddy courts complex at L.B.Nagar.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri E RAMESH CHANDRA GOUD, Advocate for the Petitioner and of the Additional Public Prosecutor for the State of Telangana on behalf of the Respondent No.1 and None Appeared for the Respondent No.2

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.11907 OF 2022****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.2 to 6 to quash the proceedings against them in C.C.No.5503 of 2022 pending on the file of VI Additional Metropolitan Magistrate, Cyberabad, L.B.Nagar. The offences alleged against them are under Sections 498-A, 323 r/w 34 of Indian Penal Code (for short "IPC") and Sections 3 and 4 of Dowry Prohibition Act, 1961 (for short "DP Act")

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent – State. Perused the record.

3. A perusal of the record would reveal that, there are disputes between the petitioners and the 2nd respondent with regard to matrimonial issues. In the charge sheet, *prima facie*, there are certain allegations leveled against the petitioners herein. They are triable issues. The petitioners have to face

trial and prove their innocence. The defences taken by the petitioners cannot be considered in an application filed under Section 482 Cr.P.C. Therefore, this Court is not inclined to quash the proceedings in C.C.No.5503 of 2022 pending on the file of VI Additional Metropolitan Magistrate, Cyberabad, L.B.Nagar against the petitioners herein.

4. In view of the aforesaid reasons, the attendance of the petitioners – Accused Nos.2 to 6 is dispensed with in C.C.No.5503 of 2022 pending on the file of VI Additional Metropolitan Magistrate, Cyberabad, L.B.Nagar, when represented by their counsel on record. The attendance of the petitioners are dispensed subject to filing an affidavit by the petitioner stating that in his absence the proceedings conducted by his counsel will not be disputed by him in any manner and shall not dispute his identity also. However, the petitioners shall appear before the learned Magistrate as and when his presence is required. In the event of the petitioners failure to appear when the Court directs, this order dispensing his attendance would stand cancelled.

5. Accordingly, the Criminal Petition is disposed off.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/- P. GOWRI SHANKAR
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The VI Metropolitan Magistrate Cyberabad, Rangareddy Courts Complex.
2. The Station House Officer, Meerpet Police Station, Rachakonda
3. Two CCs to the Public Prosecutor, High Court for the state of Telangana at Hyderabad (OUT)
4. One CC to SRI. E RAMESH CHANDRA GOUD, Advocate [OPUC]
5. Two CD Copies

PR



HIGH COURT

DATED:02/01/2023

ORDER

CRLP.No.11907 of 2022



DISPOSING OF THE CRIMINAL PETITION

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23/1/23
A/W