

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

**MONDAY, THE THIRD DAY OF JULY  
TWO THOUSAND AND TWENTY THREE**

**PRESENT**

**THE HONOURABLE SRI JUSTICE K.SURENDER**

**CRIMINAL APPEAL NO: 558 OF 2023**

**AND**

**CRIMINAL APPEAL No. 559 OF 2023**

**CRLA.No. 558 of 2023**

Appeal filed under Sections 378(3) & (1) of Cr.P.C., against the Judgment dated 01.11.2010 passed in S.C.No. 61 of 2010 on the file of the Sessions Judge, Mahabubnagar.

**Between:**

The State of A.P., rep. by the Public Prosecutor, High Court of A.P.,  
Hyderabad.

**...APPELLANT/PETITIONER**

**AND**

1. R.Raghavender Goud, S/o. Vittalaiah Goud, Age 30 years Caste- Gouda, Occ- Agriculture, R/o. Srinivasa Colony, Farooqnagar, Shadnagar, Now at Kappeta Village.
2. Smt. R.Indiramma, W/o. Vittalaiah, age 47 years Caste- Gouda, Occ- Agriculture, R/o. Srinivasa Colony, Farooqnagar, Shadnagar, Now at Kappeta Village.
3. R.Vittalaiah, s/o. Hanmaiah, age 57 years. Caste- Gouda, Occ- Agriculture, R/o. Srinivasa Colony, Farooqnagar, Shadnagar, Now at Kappeta Village.

**...ACCUSED/RESPONDENTS**

**CRLA.No. 559 of 2023**

Appeal filed under Sections 378(3) & (1) of Cr.P.C., against the Judgment dated 01.11.2010 passed in S.C.No. 61 of 2010 on the file of the Sessions Judge, Mahabubnagar.

**Between:**

The State of A.P., rep. by the Public Prosecutor, High Court of A.P.,  
Hyderabad.

**...APPELLANT/PETITIONER**

**AND**

1. R.Raghavender Goud, S/o. Vittalaiah Goud, Age 30 years Caste- Gouda, Occ- Agriculture, R/o. Srinivasa Colony, Farooqnagar, Shadnagar, Now at Kappeta Village.
2. Smt. R.Indiramma, W/o. Vittalaiah, age 47 years Caste- Gouda, Occ- Agriculture, R/o. Srinivasa Colony, Farooqnagar, Shadnagar, Now at Kappeta Village.
3. R.Vittalaiah, s/o. Hanmaiah, age 57 years. Caste- Gouda, Occ- Agriculture, R/o. Srinivasa Colony, Farooqnagar, Shadnagar, Now at Kappeta Village.

**...ACCUSED/RESPONDENTS**

**Counsel for the Appellant : PUBLIC PROSECUTOR**

**Counsel for Respondents : None appeared**

**The Court delivered the following: COMMON JUDGMENT**

**THE HONOURABLE SRI JUSTICE K.SURENDER**

**CRIMINAL APPEAL Nos.558 AND 559 OF 2023**

**COMMON JUDGMENT:**

These Criminal Appeals are filed questioning the judgment dated 01.11.2010 passed in S.C.No.61 of 2010 by the learned Sessions Judge, Mahabubnagar, acquitting the accused.

2. Since the State filed the above two appeals questioning the judgment dated 01.11.2010 in S.C.No.61 of 2010 passed by the learned Sessions Judge, Mahabubnagar, both the appeals are heard together and disposed off by way of this common judgment.

3. Heard. Perused the record.

4. The case of the prosecution is that the father of deceased filed a complaint stating that he performed the marriage of his 2<sup>nd</sup> daughter with respondent No.1 – accused No.1 and at the time of marriage, certain dowry was given by him. Later, respondents – accused harassed the deceased physically and mentally demanding additional dowry of Rs.1,00,000/- and a Splendour motorcycle. Unable to bear the harassment, the deceased committed suicide in the agricultural fields by consuming pesticide poison.

5. The main ground on which the learned Sessions Judge acquitted the respondents – accused is that the evidence of PW1 is based upon the

information given by his wife who is the mother of the deceased. The prosecution failed to prove that the deceased was harassed by the respondents – accused by not examining the wife of PW1 who is a direct witness. The evidence of PW1 did not inspire confidence, as the prosecution failed to examine wife of PW1 and when there is no allegation soon before the death of deceased that she was subjected to harassment or cruelty with a demand for additional dowry. Further there is no evidence that the accused instigated her to commit suicide. The Court below found it unsafe to convict the respondents – accused and accordingly, acquitted the respondents – accused.

6. In view of the aforesaid reasons, the learned Sessions Judge acquitting the respondents – accused cannot be found fault with as the evidence is hearsay in nature. I find that there are no grounds to interfere with the order passed by the learned Sessions Judge and the appeal is liable to be dismissed.

7. Accordingly, both the Criminal Appeals are dismissed.

Miscellaneous Petitions, pending if any, shall stand closed.

Sd/- B.S. CHIRANJEEVI  
JOINT REGISTRAR

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SECTION OFFICER

To,

1. The Sessions Judge, Mahabubnagar. .
2. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. (OUT)
3. **Two CD Copies**

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HIGH COURT

DATED:03/07/2023

COMMON JUDGMENT

CRLA.No.558 of 2023 &  
CRLA.No. 559 of 2023



DISMISSING BOTH THE APPEALS

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10/8/23