

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

**THURSDAY, THE TWENTY SIXTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 1501 AND 1832 OF 2024

CRIMINAL PETITION NO: 1501 OF 2024

Between:

Smt Perumbhuduru Kamala, W/o. P Manohar, Aged 65 years, Occ. Housewife, R/o. H.No. 8-8-,133 NSL Colony Phase-II, Ameenpur (M) Sangareddy Dist. 502032

...Petitioner / Accused

AND

1. The State of Telangana, through the Station House Officer, Women Police Station East Zone, Amberpet, Hyderabad 500013, Rep. by Public Prosecutor, High Court for the State of Telangana, Hyderabad
2. Smt Bellal Archana, W/o. P Maruthi Prasad, Aged 25 years, Occ. Advocate, R/o. H.No. 3-6-700 and 701, Flat No. 301, Senate Apartment, Opp Pooja Towers, Street No.12, Himayathnagar, Hyderabad 500029

...Respondents / 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 in C.C. No. 8798 of 2023 in the XIII Addl. Chief Metropolitan Magistrate, Manoranjan Complex Hyderabad in F.I.R. No. 219 of 2021 on the file of Women Police Station, East Zone, Amberpet, Hyderabad.

I.A. NO: 1 OF 2024

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 of all further proceedings including arrest of the Petitioner in connection with the C.C. No. 8798 of 2023 in the XIII Addl. Chief Metropolitan Magistrate, Manoranjan Complex Hyderabad in F.I.R. No. 219 of 2021 on the file of

Women Police Station, East Zone, Amberpet, Hyderabad pending disposal of the above Criminal Petition.

CRIMINAL PETITION NO: 1832 OF 2024

Between:

Smt Perumbhuduru Kamala, W/o. P Manohar, Aged 65 years, Occ. Housewife, R/o. H.No. 8-8-133 NSL Colony Phase-II, Ameenpur (M) Sangareddy Dist. 502032

...Petitioner / Accused

AND

1. The State of Telangana, through the Station House Officer, Women Police Station East Zone, Amberpet, Hyderabad 500013, Rep. by Public Prosecutor, High Court for the State of Telangana, Hyderabad
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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 in C.C. No. 8798 of 2023 in the XIII Addl. Chief Metropolitan Magistrate, Manoranjan Complex Hyderabad in F.I.R. No. 219 of 2021 on the file of Women Police Station, East Zone, Amberpet, Hyderabad.

I.A. NO: 1 OF 2024

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 of all further proceedings including arrest of the petitioner in connection with the CC No. 8798 of 2023 in the XIII Addl Chief Metropolitan Magistrate Manoranjan Complex Hyderabad in FIR No. 219 of 2021 on the file of Women Police Station, East Zone, Amberpet, Hyderabad pending disposal of the above Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri P Manohar, Advocate for the Petitioner and Sri S Ganesh, Assistant Public Prosecutor on

behalf of the Respondent No. 1 and None Appeared for the Respondent No. 2 (in Both the CRLPs).

The Court made the following Common Order :

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION Nos.1501 and 1832 of 2024

COMMON ORDER:

These Criminal Petitions are filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioners/accused Nos.1 and 2 seeking to quash the proceedings that are pending against them in C.C.No.8798 of 2023 on the file of learned XIII Additional Chief Metropolitan Magistrate, Manoranjan Complex, Hyderabad.

2. Since the parties in both the criminal petitions are and the same, they are being disposed of by this common order.

3. The brief facts of the case are that the petitioner/accused No.1, who is mother-in-law of respondent No.2 filed CrI.P.No.1501 of 2024 and petitioner/accused No.2, who is father-in-law of respondent No.2 filed CrI.P.No.1832 of 2024. The marriage of respondent No.2 was performed with P.Maruthi Prasad i.e. son of petitioners' on 10.06.2020 and it was a love marriage. Initially accused No.2 permitted respondent No.2 to enter into the house, but accused No.1 refused to permit respondent No.2 to enter the

house and harassed her in the name of the Caste. The respondent No.2 belonged to lower Caste and petitioners herein belongs to upper caste. Accused No.1 used to abuse her in the name of her caste and did not allow her to touch anything in the home. Further, accused No.2 and sister-in-law of respondent No.2 used to abuse her mentally and physically. Accused No.2 also changed his attitude in insisting of accused No.1. Even on the date of engagement, the petitioners abused respondent No.2 in the name of the caste. In the absence of her husband, they used to demand dowry. As respondent No.2 was unable to bear harassment of the petitioners, she filed a complaint against accused Nos.1 and 2 in FIR No.219 of 2021 before the Women Police Station (East Zone), Amberpet, Hyderabad, registered for the offences under Sections 498A and 509 of IPC and Sections 3 and 4 of Dowry and Prohibition Act.

4. Heard Sri P.Manohar, learned counsel for the petitioners and Sri S.Ganesh, learned Assistant Public Prosecutor appearing for respondent No.1. Though the notice was served on respondent No.2, none appeared on behalf of respondent No.2.

5. Learned counsel for the petitioners submitted that their son is presently working as Junior Civil Judge, Huzurnagar, he brought respondent No.2 to their house on 10.06.2020 stating that he

married her under the Special Marriage Act, 1954 and they accepted the marriage without any objection. They also instructed the newly married couple to reside in Flat No.301, Himayatnagar, Hyderabad. On 20.06.2020 respondent No.2 and her husband came to the house of the petitioners at Bheeramguda and requested accused No.2 file a Writ Petition seeking Police protection from the parents of respondent No.2, as such, received threatening calls. Accused No.2 advised them to lodge a complaint before the SHO, Narayanguda. Accordingly, they lodged a complaint against the parents of respondent No.2. On 20.06.2020 the petitioners invited parents of respondent No.2 to perform the marriage of their son and respondent No.2. On 08.08.2020 the marriage of respondent No.2 was performed under customs and traditions. Petitioners' also spent around at Rs.3.50 lakhs for performing their marriage, after obtaining due permission from the Tahsildar, Ameenpur due to severe corona on that point of time. After traditional marriage, the petitioner's son namely Mr. P. Maruthi Prasad has demanded the keys of Flat No.301 at Himayathnagar. However, the petitioners refused to give the said keys to petitioner's son and his wife i.e. respondent No.2. As petitioners' refused to hand over the flat keys of Flat No.301, Himayathnagar, petitioner's son became angry and broke the T.V. worth Rs.35,000/- valuable house articles, electrical

lights destructed the sentinel door consisting of costly glasses of worth Rs.25,000/- as the instigated but respondent No.2. The complaint does not disclose any valid or substantial grounds for the offences punishable under Sections 498-A, 509 of IPC and Sections 3 and 4 of D.P. Act. and these petitioners did not torture or harass respondent No.2, as the new couple i.e. respondent No.2 and her husband left the house of the petitioners, soon after their marriage. On 08.08.2020 suppressing these vicious facts, respondent No.2 lodged complaints against the petitioners and Police filed charge sheet in the said crimes without conducting proper Investigation. As such, they prayed the Court to quash the proceedings.

6. Sri P.Manohar/party-in-person in Crl.P.No.1832 of 2024 submitted that the averments in the petitions are false in nature. Though petitioners' son and respondent No.2 performed love marriage under the Special Marriage Act 1954, petitioners have performed marriage of their son and respondent No.2 as per their customs and traditions. They never abused respondent No.2 in any manner. In fact, they are the victims in the hands of respondent No.2 and their son, who is working as Junior Civil Judge at Huzurnagar, the petitioners' never, used any filthy language against

respondent No.2, as such, continuation of proceedings against the petitioners' is nothing but abuse of process of law.

7. Learned Assistant Public Prosecutor opposed the same and requested the Court to dismiss the petition.

8. Having regard to the submissions made by both the parties, the complaints filed by respondent No.2 against the petitioners reveals that petitioners harassed respondent No.2 mentally and physically in the name of caste as she does not belong to their community. The said allegations show that these petitioners' harassed her mentally and physically and ill-treated her even after her marriage. Admittedly, the marriage of *de facto complainant* with Sri P. Maruthi Prasad is a love marriage and they lived with petitioners for a short period. Further, the record shows that the petitioners also performed their marriage traditionally after they married under Special Marriage Act. Further, the *de facto complainant* in the complaint filed by her against her in-laws stated very positively about her father-in-law contacting her parents about their marriage and also sent photographs through whatsapp. It clearly shows that these petitioners have not raised any caste issue for the marriage of their son with *de facto complainant*. Therefore, omni bus allegations levelled against the petitioners do not

constitute the offences under Section 498A and 509 of IPC and Sections 3 and 4 of Dowry and Prohibition Act.

9. Accordingly, these Criminal Petitions are allowed by quashing the proceedings against the petitioners herein in C.C.No.8798 of 2023 on the file of learned XIII Additional Chief Metropolitan Magistrate, Manoranjan Complex, Hyderabad.

Miscellaneous applications, if any pending, shall also stand closed.

Sd/- V. KAVITHA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XIII Additional Chief Metropolitan Magistrate at Nampally Hyderabad
2. The Station House Officer, Women Police Station DD PS, Hyderabad District
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, Hyderabad [OUT]
4. One CC to Sri P Manohar, Advocate [OPUC]
5. Two CD Copies

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HIGH COURT

DATED:26/09/2024

COMMON ORDER

CRLP.Nos.1501 & 1832 of 2024



ALLOWING BOTH THE CRLPs

*8 copies
for
8/11/24*