

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

**THURSDAY, THE EIGHTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 8440 OF 2021

Between:

Chatla Ravi Kiran, S/o.Mruthunjaya Rao, Aged about 36 Years, Occ
Advocate, R/o.RCM Church Area, Madhira, Khammam

...PETITIONER/ACCUSED

AND

1. The State of Telangana, Through SHO, PS Sathupalli, Rep by Public Prosecutor, High Court at Hyderabad
2. Chatla Sirisha, W/o. Ravi Kiran, Aged about 25 Years, Occ Housewife, R/o.Rejerala Village, Sathupalli, Khammam

...RESPONDENTS

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. 830 of 2021 on the file of the Judicial Magistrate of First Class at Sathupalli as against the petitioners/Accused.

I.A. NO: 1 OF 2021

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 CC No. 830 of 2021 on the file of the Judicial Magistrate of First Class at Sathupalli, including appearance of the petitioner pending disposal of the Criminal petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri K. Rajashekar, Advocate for the Petitioner, Sri M. Vivekananda Reddy, Assistant Public Prosecutor on behalf of the Respondent No. 1 and of Sri Ch. Venkatanarayana, Advocate for the Respondent No. 2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.8440 of 2021

ORDER:

This Criminal Petition is filed seeking to quash the proceedings in C.C.No.830 of 2021 on the file of Judicial Magistrate of First Class at Sathupalli, wherein the petitioner was arrayed as sole accused, for the offences under Section 498-A of Indian Penal Code ('IPC' for brevity) and Sections 3 and 4 of Dowry Prohibition Act ('DP' Act for brevity).

2. The case of the prosecution in brief is that on 08.07.2021 at 13.00 hours police received a complaint from *de-facto* complainant with contents that at the time of her marriage, the *de-facto* complainant's parents gave dowry of an amount of Rs.2,50,000/- and after the marriage, they led a peaceful marital life and were blessed with a female child. Further, the *de-facto* complainant alleged that the accused harassed her both mentally and physically for additional dowry of Rs.2 lakhs and hence, she left the house of the accused. It is further alleged that on 08.06.2021, at about 10.00 A.M., the accused attended panchayat held at Rejeral Village, in the presence of elders, however, he bluntly refused to take her back for marital life without receiving Rs.2.00 Lakhs towards additional dowry.

Hence, she requested to take necessary action against the accused. Accordingly, the police have registered a case against the accused.

3. Heard Sri K.Rajashekar, learned counsel for petitioner, Sri Ch.Venkatanarayana, learned counsel for respondent No.2 and Sri M.Vivekananda Reddy, learned Assistant Public Prosecutor for respondent No.1 - State.

4. Learned counsel for petitioner vehemently contended that the petitioner has not committed the offence and he was falsely implicated in the present crime. Even according to the allegations made in the complaint, the accused demanded additional dowry on 08.06.2021, whereas respondent No.2 lodged the complaint on 08.07.2021, after lapse of long period, without giving any reasons for the said delay. He further submitted that investigating officers, without properly conducting investigation filed charge sheet solely basing on the statements of LWs 1 to 4, especially LW2, who is the mother of LW1 and LW 3 are interested witnesses. Even LW4 has not stated that the petitioner has demanded the additional dowry. He further submitted that respondent No.2 voluntarily left the matrimonial house and she is residing with her parents.

Hence, the ingredients under Section 498-A of IPC and Section 3 and 4 of DP Act do not attract. Hence, continuation of proceedings against the petitioner is clear abuse of the process of law.

5. *Per contra*, learned counsel for respondent No.2 submitted that respondent No.2 and the petitioner were blessed with girl child and the petitioner demanded an additional dowry of an amount of Rs.2 Lakhs and due to non-payment of same, the petitioner has not permitted respondent No.2 into matrimonial house. On 08.06.2021, Panchayat was conducted in the presence of village elders. He further submitted that LWs 1 to 5 specifically mentioned about demanding additional dowry. After filing of present complaint by respondent No.2, the petitioner filed O.P seeking dissolution of marriage before Family Court and the same is pending. The grounds which are raised in the present criminal petition have to be adjudicated during the course of trial and the criminal petition filed by the petitioner is liable to be dismissed.

6. Learned Assistant Public Prosecutor also reiterated the very same submissions made by the learned counsel for respondent No.2.

7. This Court considered the rival submissions made by the respective parties and perused the material available on record. It is not in dispute that the marriage of respondent No.2 was performed with the petitioner on 02.05.2019. During the wedlock, respondent No.2 blessed with a girl child. Respondent No.2 lodged a complaint on 08.07.2021, wherein she specifically stated that at the time of her marriage, her parents have given an amount of Rs.2,50,000/- towards dowry and after blessing with girl child, the petitioner started harassing respondent No.2 physically and mentally and demanded an amount of Rs.2,00,000/- towards additional dowry. To dissolve the said dispute between petitioner and respondent No.2, a panchayat was conducted on 08.06.2021 in the presence of village elders. At that time also, the petitioner demanded that, if additional dowry not paid, he will not permit respondent No.2 into matrimonial house. The record further reveals that the investigation officer recorded the statement of LW1, who is the de-facto complaint, LW2 who is none other than the mother of respondent No.2 and LWs 3 to 5., who are the panchayat elders were present on 08.06.2021. LW 4 in his statement specifically stated that the petitioner abused respondent No.2 and demanded Rs.2 Lakhs of additional dowry and instructed her to

reach him only with the additional dowry. All the witnesses in their statements specifically stated that the petitioner demanded the additional dowry amount from respondent No.2.

8. It is pertinent to mention that the law governing the exercise of inherent powers under Section 482 Cr.P.C. or the extraordinary writ jurisdiction under Article 226 is well settled by the decision in **State of Haryana v. Bhajan Lal**¹, wherein the Hon'ble Apex Court illustratively catalogued categories of cases warranting quashment, such as when the allegations taken at face value do not constitute an offence, are absurd or inherently improbable, are actuated by mala fides, or where continuance of proceedings would amount to abuse of process, while cautioning that such power must be sparingly invoked to secure the ends of justice.

9. In **Sau. Kamala Shivaji Pokarnekar v. The State of Maharashtra & Ors.**², the Hon'ble Apex Court held that the inherent powers under Section 482 Cr.P.C. has to be exercised in exceptional cases sparingly, with caution, only to prevent abuse of process or to secure the ends of justice; and it cannot be invoked to weigh evidence or stifle a genuine prosecution, but

¹ 1992 Supp (1) SCC 335

² (2019) 14 SCC 350

may be applied where the allegations in the complaint, taken at face value, do not disclose the basic ingredients of any offence.

10. It is already stated supra that respondent No.2 in her complaint as well as in her statement and other witnesses, who were examined by the investigation officer, specifically stated the role of the petitioner in demanding additional dowry and the case on hand is not the rarest of rare cases to exercise powers of this Court under Section 482 of Cr.P.C. to quash the proceedings in C.C.No.830 of 2021.

11. For the foregoing reasons, this Court does not find any ground to quash the proceedings in C.C.No.830 of 2021 on the file of Judicial Magistrate of First Class at Sathupalli.

12. Accordingly, the criminal petition is dismissed. However, taking into consideration the fact that the petitioner is a practicing advocate, his presence in C.C.No.830 of 2021 is dispensed with, unless his presence is specifically required during the course of trial, subject to the condition that the petitioner shall represent through his counsel on each and every date of hearing. In case of non-appearance of the petitioner on the specific date so fixed by the trial Court for his appearance, the trial Court is entitled to proceed with the matter, in

accordance with law. It is needless to observe that any of the observations made in this order are only for the purpose of deciding this case and the trial Court shall decide the matter basing upon the evidence, which is going to be adduced by either of the parties, in accordance with law.

Miscellaneous applications, pending if any, shall stand closed.

SD/- U.SUDHA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial Magistrate of First Class at Sathupalli
2. The Station House Officer, Sathupalli Police Station, Khammam District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad.[OUT]
4. One CC to Sri K. Rajashekar Advocate [OPUC]
5. One CC to Sri Ch. Venkatanarayana, Advocate [OPUC]
6. Two CD Copies

VH/PSL



HIGH COURT

DATED: 18/09/2025

ORDER

CRLP.No.8440 of 2021



**DISMISSING THE
CRIMINAL PETITION**

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Asm
21/11/25