

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

**THURSDAY, THE ELEVENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 16470 OF 2025

Between:

Nunenaveen, S/o Seetharamachander Rao, Aged 30 years, Occupation: Housewife, R/o H.No. 15-16-182, Flat no 101, Dwaraka Residential Apartment, Dwaraka Nagar, Khammam District, Telangana State, PIN 507001.

...PETITIONER/ACCUSED NO.1

AND

1. The State of Telangana, Represented by its Public Prosecutor, High Court Buildings, Hyderabad
2. Nune @ Vobilisetty Rupa Sri, W/o Nune Naveen, Aged about 28 years, occ- Housewife R/o H.No. 1-5-106, Sri Lakshmi Bags, Station Road, Mahabubabad City, Mahabubabad District, Telangana State

...RESPONDENTS/COMPLAINANT

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to call for the records relating to CC No 1275 of 2024 on the file of Principal Judicial First Class Magistrate At Mahabubabad, and quash the same

I.A. NO: 2 OF 2025

Petition under Section 528 of BNSS 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 including dispense with appearance in CC.No.1275 of 2024 On the file Principal Judicial First Class Magistrate At Mahabubabad, 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 CHEKURI JYOTSNA DEVI, Advocate for the Petitioner and SRI M.VIVEKANANDA REDDY, ASSISTANT PUBLIC PROSECUTOR on behalf of the Respondent No.1 and None Appeared for the Respondent No.2

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.16470 of 2025

Date: 11.12.2025

Between:

Nunenaveen

...Petitioner

AND

The State of Telangana,
Represented by its Public Prosecutor,
High Court Buildings, Hyderabad and another

...Respondents

ORDER

This Criminal Petition has been filed seeking to quash the proceedings in C.C.No.1275 of 2024 on the file of the learned Principal Judicial First Class Magistrate at Mahabubabad, wherein the petitioner was arrayed as accused No.1, for the offences punishable under Section 85 of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS') and Sections 3 and 4 of the Dowry Prohibition Act, 1961 (for short 'DP Act').

2. Heard Ms.C.Jyotsna Devi, learned counsel for the petitioner and Mr.Veramalla Jithendar Rao, learned Additional Public Prosecutor for respondent No.1.

3. Learned counsel for the petitioner vehemently contended that respondent No.2 voluntarily left the matrimonial house of the petitioner, and the petitioner issued a legal notice dated 12.01.2024. Thereafter, he filed F.C.O.P. No.117 of 2024 on the file of the learned Family Court at Khammam, invoking the provisions under Sections 13(1)(ia) and (i) of the Hindu Marriage Act, 1955, seeking dissolution of the marriage on the grounds of cruelty, which was later amended to adultery. After receiving notices in the said F.C.O.P., respondent No.2 lodged a complaint on 24.08.2024, and based on the same, Crime No.325 of 2024 was registered. The Investigating Officer, without properly conducting investigation, filed the final report, and the learned Principal Judicial First Class Magistrate has taken cognizance. Respondent No.2 filed the present complaint as a counterblast. Hence, continuation of the proceedings against the petitioner is a clear abuse of process of law.

4. *Per contra*, the learned Additional Public Prosecutor submits that accused Nos.2 to 4 approached this Court and filed a criminal petition vide CrI.P. No.15148 of 2025 seeking to quash the proceedings, and this Court was not inclined to quash the

proceedings; however, dispensed with the presence of the accused therein before the trial Court. Hence, the petitioner is not entitled to seek quashing of the proceedings.

5. In view of the aforesaid submissions, this Court is not inclined to go into the other grounds raised by the learned counsel for the petitioner. However, presence of the petitioner/accused No.1 in C.C.No.1275 of 2024 on the file of the learned Principal Judicial First Class Magistrate at Mahabubabad, is dispensed with, subject to the condition that he shall represent through his counsel on each and every date of hearing. If the presence of the petitioner is required, he shall appear before the trial Court. In case of his non-appearance on the specific date fixed by the trial Court for his appearance, the trial Court is entitled to proceed with the matter, in accordance with law.

6. Accordingly, the criminal petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

//TRUE COPY//

SD/- K.BHAVANI SWAMY
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Judicial First Class Magistrate at Mahabubabad, Mahabubabad District
2. The Station House Officer, Mahabubabad Town Police Station, Mahabubabad District

3. One CC to SRI CHEKURI JYOTSNA DEVI Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
5. **Two CD Copies**

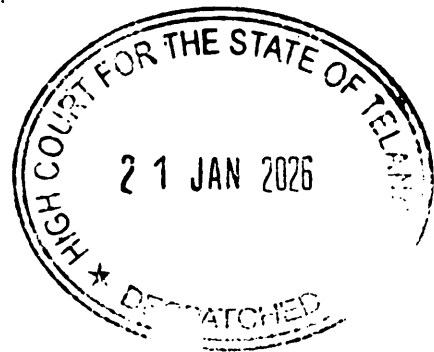
VM/PSL

VM/PSL

HIGH COURT

DATED: 11/12/2025

ORDER
CRLP.No.16470 of 2025



DISPOSING THE CRIMINAL PETITION

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kps
22/12/25