IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY,THE SEVENTEENTH DAY OF DECEMBER TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 16831 OF 2025

Between:

1. Ramavath Ramesh, S/o. Late Sakriya Naik, Aged about 43 Years, Occ Govt. Employee, R/o. H.No. 5-35Gemyanayak Thanda Village, Peddavoora Mandal, Nalgonda District
2. Ramavath Ambi, W/o. Late Sakriya Naik, Aged about 62 Years, Occ Housewife, R/o. H.No. 5-35Gemyanayak Thanda Village, Peddavoora Mandal, Nalgonda District.

...Petitioner/Respondents No.1 & 2

AND

1. The High Court of Telangana, Judicature at Hyderabad, Rep. by its Public Prosecutor.

...Respondent No.1

2. Ramavath Swathi, W/o. Ramesh, Aged about 34 Years, Occ Housewife, R/o. H.No.18-1374, Ashoknagar, Miryalguda, Nalgonda District.

...Respondent No.2/Aggrieved Party

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 quash the Proceedings in D.V.C.No.22/2024 on the file of Judicial First Class Magistrate Miryalguda for the offences under Section 18 to 20 of Domestic Violence Act.

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 of all further Proceedings in D.V.C.No.22/2024 on the file of

Judicial First Class Magistrate Miryalguda for the offences under Section 18 to 20 of Domestic Violence Act 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 RAPOLU BHASKAR, Advocate for the Petitioner and the Sri Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondent No.1, and none appeared for the Respondent No2.

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.16831 of 2025

Date: 17.12.2025

Between:

Ramavath Ramesh and another

...Petitioners

AND

The High Court of Telangana Judicature at Hyderabad
Rep by its Public Prosecutor
Hyderabad and another

...Respondents

ORDER

This Criminal Petition has been filed seeking to quash the proceedings against the petitioners in DVC No.22 of 2024, on the file of learned Judicial First Class Magistrate, Miryalaguda.

2. Heard Mr.Rapolu Abhinav, learned counsel representing Mr.Rapolu Bhaskar, learned counsel for the petitioners and Mr.Jithendar Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1.

3. Learned counsel for the petitioners vehemently contended that respondent No.2 has not lived along with petitioner Nos.1 and 2 and that there has been no domestic relationship for the last eight years. Hence, Respondent No.2 is not entitled to any relief as claimed in

DVC No.22 of 2024. Upon perusal of the averments made in DVC No.22 of 2024, Respondent No.2 has made specific allegations against Petitioner Nos.1 and 2 and has sought various reliefs. Whether Respondent No.2 is entitled to the reliefs claimed in the said case has to be adjudicated and decided by the learned Magistrate after a full-fledged trial. The grounds raised by the learned counsel for the petitioners are disputed questions of fact, and the same cannot be adjudicated in the present criminal petition. Hence, there are no grounds to quash the proceedings against the petitioners.

4. However, taking into consideration the age of Petitioner No.2 and the occupation of Petitioner No.1, who is a government employee, the presence of Petitioners before the learned Judicial First Class Magistrate, Miryalaguda, in DVC No.22 of 2024 is dispensed with, unless their presence is specifically required during the course of the trial, subject to the condition that the petitioners shall be represented by their counsel on every date of hearing. In the event of non-appearance of petitioners on any date so fixed by the trial Court, the trial Court shall be entitled to proceed with the matter in accordance with law.

5. Accordingly, the criminal petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

SD/- B. REKHA RANI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Judicial First Class Magistrate at Miryalaguda.
2. The Station House Officer, Miryalaguda II Town Police Station, Nalgonda District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
4. One CC to SRI RAPOLU BHASKAR Advocate [OPUC]
5. Two CD Copies

NVB

HIGH COURT

DATED:17/12/2025



ORDER

CRLP.No.16831 of 2025

DISPOSING THE CRIMINAL PETITION

27/12/25