

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

FRIDAY, THE TWENTY THIRD DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 7588 OF 2025

Between:

1. Shashank Babu Chinta Venkata, S/o. Chinta Venkata Prakash, Age. 38 Years, Occ. Private Employee (Male), R/o. H. No. 5-1-258, Teachers Club Road, Korutla Proper and Mandal, Jagtial District.

...Accused No.1/Husband

2. Paramkusham Shobha Rani, W/o. CV Prakash, Age. 61 Years, Occ. Government Teacher, R/o. H. No. 5-1-258, Teachers Club Road, Korutla Proper and Mandal, Jagtial District.

...Accused No.2/Mother in law

3. Chinta Venkata Prakash, S/o. Late. Narsaiah, Age. 69 Years, Occ. Retired Employee, R/ o. H. No. 5-1-258, Teachers Club Road, Korutla Proper and Mandal, Jagtial District.

...Accused No.3/Father in law

4. Chinta Venkata Priyanka, W/o. TV Siddharth, Age. 40 Years, Occ. Housewife, R/o. H. No. 1-1-813, Camp Road, Korutla Proper and Mandal, Jagtial District

... Accused No.4/Sister in law/Petitioners/Accused Nos.1 to 4

AND

1. The State of Telangana, , through S.H.O., W.P.S. East Zone, Hyderabad District, represented by Public Prosecutor, High Court at Hyderabad

...Respondent

2. Vunjili Vidya, D/o. V. Srinivas, Age. 35 Years, Occ. Unemployed, R/ o. H. No. 6-1-151, Ganga Residency, Flat No. 102, Chilkaiguda, Hyderabad, Cell No. 9014672150

...Respondent/De-facto 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 quash the charge sheet in C.C. No. 15217 of 2024, on the file of XIII Additional Chief Metropolitan Magistrate, at Nampally, Hyderabad.

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 including appearance of the petitioners/ Accused Nos. 1 to 4 in C.C. No. 15217 of 2024, on the file of XIII Additional Chief Metropolitan Magistrate, at Nampally, Hyderabad.

I.A. NO: 3 OF 2025

BETWEEN:

Vunjili Vidya, D/o. V. Srinivas, Age. 35 Years, Occ. Unemployed, R/ o. H. No. 6-1-151, Ganga Residency, Flat No. 102, Chilkaiguda, Hyderabad, Cell No. 9014672150.

...Petitioner/2nd Respondent

AND

1. Shashank Babu Chinta Venkata, S/o. Chinta Venkata Prakash, Age. 38 Years, Occ. Private Employee (Male), R/o. H. No. 5-1-258, Teachers Club Road, Korutla Proper and Mandal, Jagtial District
2. Paramkusham Shobha Rani, W/o. CV Prakash, Age. 61 Years, Occ. Government Teacher, R/o. H. No. 5-1-258, Teachers Club Road, Korutla Proper and Mandal, Jagtial District
3. Chinta Venkata Prakash, S/o. Late. Narsaiah, Age. 69 Years, Occ. Retired Employee, R/ o. H. No. 5-1-258, Teachers Club Road, Korutla Proper and Mandal, Jagtial District
4. Chinta Venkata Priyanka, W/o. TV Siddharth, Age. 40 Years, Occ. Housewife, R/o. H. No. 1-1-813, Camp Road, Korutla Proper and Mandal, Jagtial District

...Respondents/Petitioners

5. The State of Telangana, , through S.H.O., W.P.S. East Zone, Hyderabad District, represented by Public Prosecutor, High Court at Hyderabad

...Respondent/Respondent

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 vacate the interim stay order dated 25/06/2025 in IA.no.2 of 2025 in CrIp.No.7588 of 2025.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri K Venumadhav, Advocate for the Petitioners and Sri Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of Respondent No.1 and of Sri D Pradeep Kumar, Advocate for the Respondent No.2.

The Court made the following: ORDER

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

THE HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.7588 OF 2025

DATE: 23-01-2026

Between:

Shashank Babu Chinta Venkata and three others

... Petitioners

And

The State of Telangana,
through S.H.O., W.P.S. East Zone,
Hyderabad District,
Represented by Public Prosecutor,
High Court at Hyderabad and another

... Respondents

ORDER:

This Criminal Petition is filed by the petitioners-accused Nos.1 to 4 seeking to quash the proceedings against them in C.C.No.15217 of 2024 on the file of learned XIII Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, registered for the offences under Section 498A I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act.

2. Heard Sri K. Venumadhav, learned counsel for the petitioners, Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor

for respondent No.1-State and Sri D. Pradeep Kumar, learned counsel for respondent No.2.

3. The case of prosecution is that the petitioners-accused Nos.1 to 4 have harassed respondent No.2-*de facto* complainant for want of additional dowry.

4. Learned counsel for the petitioners submitted that petitioner No.1 is the husband, petitioner Nos.2 and 3 are the parents-in-law and petitioner No.4 is the sister-in-law of respondent No.2-*de facto* complainant. He further submitted that the petitioners never harassed the *de facto* complainant in any manner and that the present complaint is filed with all false allegations. He further submitted that within 20 days of marriage, petitioner No.1 and the *de facto* complainant left to U.S.A. and lived there; that all the incidents of harassment are alleged to have occurred in U.S.A.; that therefore, registration of present crime in India, without there being any prior sanction, is illegal; and that the complaint itself is not maintainable. He further submitted that without sanction under Section 188 Cr.P.C., continuation of proceedings against the petitioners would be an abuse of process of law. He, therefore, prayed to quash the proceedings in the present C.C. against the petitioners herein.

Learned counsel, in support of his submissions, has relied upon the judgments of the Honourable Apex Court in **Dara Lakshmi Narayana and others v. State of Telangana and another**¹, **Geddamm Jhansi and another v. State of Telangana and others**² and **Achin Gupta v. State of Haryana and another**³.

5. Learned counsel for respondent No.2 submitted that respondent No.2 has ample evidence to prove the case against the petitioners herein. He further submitted that not only at U.S.A., but there are also specific incidents of harassment, which took place in India and that respondent No.2 has the bank account statement, which reveals that amounts were transferred to the account of petitioner No.1 by the *de facto* complainant. He further submitted that petitioner No.1 got addicted to gambling and to fulfill his lust and greed for money, he started harassing the *de facto* complainant in many ways. Petitioner No.1 also insisted the *de facto* complainant to have physical relationship with one of his friends; that petitioner No.1 used to have unnatural sex with the *de facto* complainant; and that no woman would bear such type of harassment. He further submitted that the said friend of petitioner

¹ 2024 LawSuit(SC) 1108

² 2025 LawSuit(SC) 169

³ 2024 LawSuit (SC) 392

No.1, by name Anil Rambha, has touched the *de facto* complainant inappropriately. He further submitted that the other petitioners have also harassed the *de facto* complainant while she was in India. He further submitted that the child of the *de facto* complainant and petitioner No.1, is suffering with Autism and for the treatment of the child, the *de facto* complainant stayed in India for one year, during which period she was put to untold harassment by all the petitioners herein. He, therefore, prayed to dismiss the Criminal Petition.

6. Perused the record.

7. There are specific instances of harassment narrated by the *de facto* complainant. It is alleged that after marriage, petitioner No.1 started taunting the *de facto* complainant on various things such as cooking and other daily affairs. He used to comment on her way of dressing by comparing with other women and that she is not able to cope up with the US life and is not meeting his expectations. He never allowed her to talk to her friends. It is further alleged that petitioner No.1 got addicted to gambling and used to demand her to pay huge amounts and used to hit her and pinch her. It is further alleged that their kid was diagnosed with Autism and he needed some extra care and attention and so, she switched over to a new

job, her pay was increased and thus, petitioner No.1 again started demanding more amounts to meet his gambling requirements. It is further alleged that petitioner No.1 has asked her to move close with one of his friends, by name Anil Rambha, who touched her inappropriately in one of the parties in January, 2023. When she complained to petitioner No.1, he asked her to adjust and to sleep with the said person. It is further alleged that few months thereafter, she came to India to attend her brother's marriage and stayed in India for the treatment of her son and that petitioner No.1 also came down to India on his mother's retirement function, which fell on July 31, 2024 and that during their stay at India, he harassed her when they lived at 'Air BnB' in Himayathnagar and demanded her an amount of Rs.20,00,000/-. There are also specific allegations of harassment against the other petitioners, while the *de facto* complainant was in India. Thus, the allegations *prima facie* point out the offences alleged against the petitioners herein. The offences alleged are serious in nature.

8. In **Dara Lakshmi Narayana's** case (supra 1), it was held by the Honourable Apex Court that if there are omnibus allegations

against the accused and no specific incidents of harassment are made out, the proceedings need to be quashed. It was held that:

"25. A mere reference to the names of family members in a criminal case arising out of a matrimonial dispute, without specific allegations indicating their active involvement should be nipped in the bud. It is a well-recognized fact, borne out of judicial experience, that there is often a tendency to implicate all the members of the husband's family when domestic disputes arise out of a matrimonial discord. Such generalized and sweeping accusations unsupported by concrete evidence or particularized allegations cannot form the basis for criminal prosecution. Courts must exercise caution in such cases to prevent misuse of legal provisions and the legal process and avoid unnecessary harassment of innocent family members."

9. In **Geddam Jhansi's** case (supra 2), it was held that criminal proceedings against relatives in domestic violence/dowry cases can be quashed if the allegations against them are vague, general, or lack specific evidence of active involvement or instigation. Mere awareness or non-intervention does not amount to culpability. Courts must guard against misuse of legal provisions to prevent harassment of innocent family members.

10. In **Achin Gupta's** case (supra 3), it was held by the Honourable Apex Court that:

"20. It is now well settled that the power under Section 482 of the Cr.P.C. has to be exercised sparingly, carefully and with caution, only where such exercise is justified by the

tests laid down in the Section itself. It is also well settled that Section 482 of the Cr.P.C. does not confer any new power on the High Court but only saves the inherent power, which the Court possessed before the enactment of the Criminal Procedure Code. There are three circumstances under which the inherent jurisdiction may be exercised, namely (i) to give effect to an order under the Code, (ii) to prevent abuse of the process of Court, and (iii) to otherwise secure the ends of justice.

35. In one of the recent pronouncements of this Court in Mahmood Ali & Ors. v. State of U.P. & Ors., 2023 OnLine SC 950, authored by one of us (J.B. Pardiwala, J.), the legal principle applicable apropos Section 482 of the CrPC was examined. Therein, it was observed that when an accused comes before the High Court, invoking either the inherent power under Section 482 CrPC or the extraordinary jurisdiction under Article 226 of the Constitution, to get the FIR or the criminal proceedings quashed, essentially on the ground that such proceedings are manifestly frivolous or vexatious or instituted with the ulterior motive of wreaking vengeance, then in such circumstances, the High Court owes a duty to look into the FIR with care and a little more closely. It was further observed that it will not be enough for the Court to look into the averments made in the FIR/complaint alone for the purpose of ascertaining whether the necessary ingredients to constitute the alleged offence are disclosed or not as, in frivolous or vexatious proceedings, the court owes a duty to look into many other attending circumstances emerging from the record of the

case over and above the averments and, if need be, with due care and circumspection, to try and read between the lines."

11. But, in the present case, there are specific allegations of harassment against the petitioners herein, which are serious in nature. Therefore, the above cited decisions cannot be applied to the present case.

12. The petitioners' counsel contended that prior sanction under Section 188 Cr.P.C. is compulsory, as the offences are alleged to have been committed at U.S.A. But the allegations point out that certain incidents are alleged to have occurred in India also.

13. The Honourable Supreme Court in ***Thota Venkateswarlu v. State of Andhra Pradesh through Principal Secretary and another***⁴, held that even if one incident has occurred in India, there was no requirement to take previous sanction from the Central Government under Section 188 Cr.P.C., for trial of all the other incidents outside India. The Honourable Supreme Court, while analysing the provisions of Section 188 Cr.P.C., has held that the Section gets attracted only when the entirety of offence is committed

⁴ (2011) 9 SCC 527

outside India and as such going with normal principle, if the offence was not committed in its entirety outside India, the matter would not come within the scope of Section 188 Cr.P.C. and there was no necessity of any sanction as mandated by the Proviso to Section 188 Cr.P.C. Thus, when a part of offence occurs in India, no such sanction under Section 188 Cr.P.C. is required.

14. In the present case, part of the offences are alleged to have occurred while respondent No.2-*de facto* complainant was staying in India. Therefore, the prior sanction under Section 188 Cr.P.C. is not necessary.

15. The contention of the petitioners' counsel is that all the allegations are false. It is a triable issue. The truth or otherwise in the allegations can be culled out only after a full-fledged trial. Therefore, it is not proper to quash the proceedings in the present C.C. against the petitioners herein. However, in the facts and circumstances of the case, it is deemed appropriate to dispense with the attendance of the petitioners herein before the trial Court.

16. Accordingly, the Criminal Petition is disposed of dispensing with the attendance of the petitioners before the trial Court provided

they are represented by a counsel before the trial Court on every date of hearing and shall appear before the trial Court whenever their presence is required during the course of trial.

Miscellaneous Petitions pending, if any, shall stand closed.

Sd/-C.DEEPIKA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

One Fair Copy to the Hon'ble Smt Justice Tirumala Devi Eada
(For Her Ladyship's kind Perusal)

To,

1. The XIII Additional Chief Metropolitan Magistrate, at Nampally, Hyderabad
2. 11 LR Copies
3. The Under Secretary, Union of India, Ministry of Law, Justice and Company Affairs, New Delhi
4. The Secretary, Advocates Association Library, High Court for the State of Telangana, High Court Buildings at Hyderabad
5. The Station House Officer, WPS East Zone Police Station, Hyderabad
6. One CC to Sri K Venumadhav, Advocate [OPUC]
7. One CC to Sri D Pradeep Kumar, Advocate [OPUC]
8. Two CCs to PUBLIC PROSECUTOR High Court for the State of Telangana, at Hyderabad [OUT]
9. Two CD Copies

ADK/BA

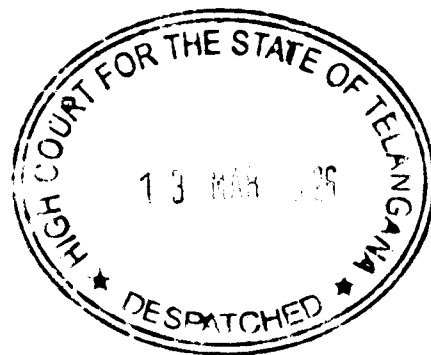
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HIGH COURT

DATED: 23/01/2026

ORDER

CRLP.No.7588 of 2025



DISPOSING OF THE CRLP

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