IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE THIRTEENTH DAY OF NOVEMBER TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 12596 OF 2026

Between:

1. Mudhunuri Venkata Rama Raju, S/o Mudhunuri Venkata Ramana Raju, Aged about 40 years, Occ. Senior Assistant, Ministry of Defence, R/o H.No. C-4/2, Midhani Township, Kanchanbagh, Hyderabad.
2. Mudhunuri Venkata Ramana Raju, S/o Late M. Rama Raju, Aged about 62 years, Occ. Private Employee, R/o H.No.3-110/1, 3rd Floor, Srinivasa Colony, Kompally, Medchal-Malkajgiri District,
3. Smt. Mudhunuri Chittamma, W/o Mudhunuri Venkata Ramana Raju, Aged about 58 years, Occ. Housewife, R/o H.No.3-110/1, 3rd Floor, Srinivasa Colony, Kompally, Medchal-Malkajgiri District.
4. Smt. Mudhunuri Lakshmi Surekha, W/o Pathamla Lakshmana Raju, Aged about 37 years, Occ. Housewife, R/o H.No.2-197, Chinna Kotta Lanka Village, Near Hanuman Temple, Mummidivaram Mandal, Dr. B.R. Ambedkar Konaseema District, Andhra Pradesh.
5. Pathamla Lakshmana Raju, S/o Suryanarayana Raju, Aged about 45 years, Occ. Government Employee, R/o H.No.2-197, Chinna Kotta Lanka Village, Near Hanuman Temple, Mummidivaram Mandal, Dr. B.R. Ambedkar Konaseema District, Andhra Pradesh.

...Petitioners/Accused No. 1 to 5

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court for the State of Telangana, Hyderabad.
2. Smt, Gunturi Venkata Radha Pravalika, W/o Mudhunuri Venkata Rama Raju, Aged about 28 years, Occ. Housewife, R/o MIG-11-269, 9th Phase, KPHB Colony, Kukatpally, Medchal-Malkajgiri District, Telangana.

...Respondents

Petition under Section 528 of B.N.S.S. praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash the proceedings against the Petitioners/Accused No.1 to 5 in C.C.No.28 of 2026 on the file of the XV Additional Judicial Magistrate of First Class, Medchal-Malkajgiri Dist. at Kukatpally.

I.A. NO: 2 OF 2026

Petition under Section 528 of B.N.S.S. 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 the appearance of the Petitioners/Accused No.1 to 5 in C.C. No.28 of 2026 on the file of the XV Addl, Judicial Magistrate of First Class, Medchal-Malkajgiri Dist. at Kukatpally, pending disposal of the main Criminal Petition.

I.A. NO: 4 OF 2026

Petition under Section 528 of B.N.S.S. praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to extend the interim order dated. 05/08/2026 passed in Crl.P.No. 12596 of 2026 of this Court.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Sanjeeva Reddy Garlapati, Advocate for the Petitioners and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor on behalf of the Respondent No.1, (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.12596 of 2026
(CNR No.HBHC010529612026)

Date: 13.11.2026

Between:

Mudhunuri Venkata Rama Raju and four others
...Petitioners/accused Nos.1 to 5

AND

The State of Telangana and another.
...Respondents

ORDER

This Criminal Petition has been filed seeking to quash the proceedings in C.C.No.28 of 2026 on the file of the XV Additional Judicial Magistrate of First Class, Medchal-Malkajgiri District at Kukatpally, wherein the petitioners were arrayed as accused Nos.1 to 5 for the offences punishable under Sections 85 and 318(4) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'the BNS') and Sections 3 and 4 of the Dowry Prohibition Act, 1961 (for short, 'the DP Act').

2. When this matter is taken up for consideration, initially on 05.08.2026, this Court while ordering notice before admission,

granted interim stay of all further proceedings and permitted the learned counsel for the petitioners to take out personal notice to respondent No.2 by way of speed post and acknowledgment due. Once again, the matter came up for consideration on 08.09.2026, learned counsel for the petitioners submitted that pursuant to the order dated 05.08.2026, he sent personal notice to respondent No.2 *vide* USR.No.101744 of 2026 on 18.08.2026. In spite of service of notice, respondent No.2 has not chosen to enter appearance. However, to give one more opportunity, the matter was posted to 28.09.2026. Even today also, respondent No.2 has not chosen to enter appearance. Hence, this Court has no option except to proceed with the matter on merits.

3. Heard Mr. Sanjeeva Reddy Garlapati, learned counsel for the petitioners, and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1.

4. Learned counsel for the petitioners submitted that the petitioners have not committed any offence and have been falsely implicated in the present case. Even according to the allegations levelled either in the complaint or in the final report, the ingredients of the offences punishable under Section 85 of the BNS

and Sections 3 and 4 of the DP Act are not attracted against the petitioners. However, at the instance of elders and well wishers, petitioner No.1/accused No.1 and respondent No.2 entered into a memorandum of understanding on 13.05.2026. Pursuant to the memorandum of understanding, respondent No.2 agreed to withdraw all the cases which were filed against her husband and others, including the present C.C. pending on the file of the learned XV Additional Judicial Magistrate of First Class, Medchal-Malkajgiri District at Kukatpally and also agreed to withdraw M.C. No.33 of 2025. Pursuant to the said memorandum of understanding, petitioner No.1 and respondent No.2 have filed O.P.No.1626 of 2024 on the file of the learned Principal Family Court-cum-Additional Metropolitan Sessions Judge at Hyderabad, seeking dissolution of their marriage held on 10.02.2022, by way of mutual consent invoking the provisions of Section 13-B of the Hindu Marriage Act and the said O.P. was decreed on 14.05.2026 and the marriage between them was dissolved. Thereafter, respondent No.2 is not coming forward for taking steps for closure of C.C.No.28 of 2026 on the file of the XV Additional Judicial Magistrate of First Class, Medchal-Malkajgiri District at Kukatpally. He further submitted that the issued raised in this

Criminal Petition is squarely covered by the orders passed by this Court in Criminal Petition No.1394 of 2026 dated 01.05.2026.

5. *Per contra*, learned Additional Public Prosecutor has not disputed the same.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that accused No.1 and respondent No.2 have entered into a memorandum of understanding on 13.05.2026 and pursuant to the said memorandum of understanding, respondent No.2 had agreed to withdraw all the cases which were filed against her husband and others, including the present C.C. pending on the file of the learned XV Additional Judicial Magistrate of First Class, Medchal-Malkajgiri District at Kukatpally and also agreed to withdraw MC.No.33 of 2025. Pursuant to the said memorandum of understanding, petitioner No.1 and respondent No.2 have filed O.P.No.1626 of 2024 on the file of the learned Principal Family Court cum Additional Metropolitan Sessions Judge at Hyderabad, seeking dissolution of their marriage held on 10.02.2022, by way of mutual consent invoking the provisions of Section 13-B of the

Hindu Marriage Act and the said O.P. was decreed on 14.05.2026 and the marriage between them was dissolved.

7. It is relevant to mention that in **Ruchi Agarwal v. Amit Kumar Agrawal and others,** the Hon'ble Supreme Court while considering a factually similar scenario, considered that the parties had obtained a decree of divorce by mutual consent and that the complainant had also withdrawn proceedings under Section 125 of the Cr.P.C. While the complainant in that case contended that she had not received her rightful maintenance and Stridhan as per the terms of the compromise, and thus sought to continue with the criminal proceedings, the Court held that her conduct having already consented to a divorce and partially acted upon the compromise indicated that the continuation of criminal proceedings was intended only to harass the respondents. In such circumstances, the Court observed that permitting the proceedings to continue would amount to an abuse of the process of law and accordingly quashed all proceedings arising out of the said crime.

8. Taking into consideration the peculiar facts and circumstances of the case as well as the principle laid down by the Hon'ble Supreme Court in **Ruchi Agarwal** (*supra*) and in view of

the orders passed by this Court in Criminal Petition No.1394 of 2026, this Court is of the considered view that continuation of proceedings against the petitioners is a clear abuse of the process of law.

9. Accordingly, the Criminal Petition is allowed and the proceedings in C.C.No.28 of 2026 on the file of the XV Additional Judicial Magistrate of First Class, Medchal-Malkajgiri District at Kukatpally, against the petitioners/accused Nos.1 to 5, are hereby quashed.

Miscellaneous applications, pending if any, shall stand closed.

SD/- L. USHA RANI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XV Additional Judicial Magistrate of First Class, Medchal-Malkajgiri Dist. at Kukatpally.
2. The Station House Officer, KPHB Colony Police Station, Hyderabad.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri Sanjeeva Reddy Garlapati, Advocate [OPUC]
5. Two CD Copies

GNK

HIGH COURT

DATED: 13/11/2026



ORDER

CRLP.No.12596 of 2026

ALLOWING THE CRIMINAL PETITION

(8)

19/11/26