IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE SRI JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL REVISION CASE No.970 of 2026

(CNR.No. HBHC010684292026)

DATE: 05.10.2026

BETWEEN:

Smt.M.Leelavathi.

.....Petitioner-Accused No.4

And

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

.....Respondent-Complainant

ORDER

1. This Criminal Revision Case is filed under Section 438 read with 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') aggrieved by the docket order dated 02.09.2026 in Crl.M.P.No.41 of 2025 in S.C.No.183 of 2022 on the file of the I Additional District and Sessions Judge, Jogulamba Gadwal District at Gadwal.

2. Heard Sri P.Animi Reddy, learned counsel for the petitioner-accused No.4 and Sri E.Ganesh, learned Assistant Public Prosecutor appearing for the Respondent–State.

3. Learned Assistant Public Prosecutor has taken notice for sole respondent.

4. Learned counsel for the petitioner submits that the learned Sessions Court wrongly came to the conclusion that there is “No representation though conditional order passed”. In fact, during the call work, the counsel for the petitioner requested for a pass over to argue the discharge petition, the case is kept for pass over and called at 12:30 P.M., thereafter, the learned Sessions Court had dismissed the discharge petition. In fact, the counsel for the petitioner in the trial Court was held up in another Court and the learned Sessions Court ought to have given an opportunity to the petitioner counsel to argue the discharge petition and prayed to set aside the impugned order.

5. Learned Assistant Public Prosecutor submits that the learned Sessions Court has rightly dismissed the application filed by the petitioner-accused No.4 as she failed to evince interest to prosecute the discharge petition and prayed to dismiss the same.

6. Petitioner-accused No.4 is tried in S.C.No.183 of 2022 for the offences punishable under Sections 498-A, 304-B of the IPC and Sections 3, 4 and 6 of the Dowry Prohibition Act, 1961.

7. After filing the charge sheet by the Police, the case came to be numbered as S.C.No.183 of 2022. After a period of three years, the petitioner-accused No.4 has filed Crl.M.P.No.41 of 2025 to discharge her from the SC. The said application came to be listed on 02.09.2026 before the learned Sessions Court. As there was no representation on behalf of the petitioner counsel, the above said Crl.M.P came to be dismissed on 02.09.2026.

8. Learned counsel for the petitioner during the course of arguments contended that if the application is restored, he will advance his arguments before the learned Sessions Court.

9. Since the petitioner-accused No.4 is tried for the offences punishable under Sections 498-A, 304-B of the IPC and Sections 3, 4 and 6 of the Dowry Prohibition Act, 1961, discharge application has to be heard on merits and considering the submissions made by the petitioner counsel, this Court feels that the order is liable to be set aside, subject to the petitioner-accused No.4 paying cost of Rs.10,000/- to the District Legal Services Authority, Gadwal.

10. Petitioner-accused No.4 has made out a case and the order passed by the learned I Additional District and Sessions Judge, Jogulamba Gadwal District at Gadwal in Crl.M.P.No.41 of 2025 in S.C.No.183 of 2022 dated 02.09.2026 is set aside,

subject to the petitioner-accused No.4 paying cost of Rs.10,000/- (Rupees Ten Thousand Only) to the District Legal Services Authority, Gadwal.

11. Accordingly, the Criminal Revision Case is allowed.

Miscellaneous applications, if any pending, shall stand closed.

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B.R.MADHUSUDHAN RAO, J

Date: 05.10.2026
pss

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