

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

THURSDAY ,THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION NO: 4156 OF 2022

Between:

1. Sheelam Padma, W/o. Chandraiah, aged 58 years Occ- House wife., H.No.3-62, Modugulagudem Village, Kuravi Mandal, Mahabubabad District. (Accused No. 2 in CC7270F2022)
2. Sheelam Chandraiah, S/o. Pentaiah, aged 65 years, Occ. RMP H No 3-62 Modugulagudem Village, Kuravi Mandal, Mahabubabad District. (Accused No. 3 in CC7270F2022)
3. Sheelam Sugunakar, S/o. Chandraiah, aged 40 years Occ- Govt. Teacher, R/o.H.No.3-62, Modugulagudem Village, Kuravi Mandal, Mahabubabad District. (Accused No. 4 in CC7270F2022)
4. Sukari Pavani, W/o. Jayanth, aged 34 years Occ- House wife R/o.H.No.1-4-55, Old Bazar, Mahabubabad Mandal and District. (Accused No.5 in CC7270F2022).

...PETITIONERS(ACCUSED No.2,3,4 and 5 in C.C.No.727 of 2022)

AND

1. The State of Telangana, Station House Officer, Women's Police Station, Warangal Town and District. represented by its Public Prosecutor High Court Building Complex, Hyderabad.

...RESPONDENT

2. Sheelam Alias Konda Mounika, W/o. Tulasikanth, Aged- 28 years, Occ- Junior Assistant Tahasildar Office, Kazipet, R/o.H.No. 2-11-491/1, Saraswathinagar, Gopalpur road, Hanamkonda. Warangal District.

...RESPONDENT/COMPLAINANT in CC 727 OF 2022

Petition under Section 482 of Cr.P.C 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 and quash the Criminal case in C.C.No. 727 of 2022 on the file of the V-Additional Judicial First Class Magistrate at Warangal against these petitioners who are the Accused No.2,3,4 and 5 in the said criminal case.

I.A. NO: 1 OF 2022

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition,the High Court may be pleased to grant stay of all further proceedings including personal Appearance of the petitioners No. 1 to 4 /accused No.2,3,4 and 5 in the C.C.No. 727 of 2022 on

the file of the V- Additional Judicial First Class Magistrate at Warangal pending disposal of this criminal petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Banda Prasada Rao, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No.1.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION No.4156 of 2022

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C., to quash the proceedings in C.C.No.727 of 2022 pending on the file of the V Addl. Judicial Magistrate of First Class, Warangal. The petitioners herein are accused Nos.2 to 5 in the said C.C. The offences alleged against them are under Section 498-A of IPC and Sections 3 and 4 of Dowry Prohibition Act.

2. Heard learned counsel for the petitioners and learned Public Prosecutor for the State. Perused the record. With their consent this Criminal Petition is disposed of, at the admission stage.

3. As per the complaint dated 21-12-2021, the marriage of A-1 with 2nd respondent was performed on

24-05-2014. Thereafter matrimonial disputes arose between them. Perusal of the charge sheet in the said Calendar Case would reveal that *prima facie* there are certain allegations against the petitioners herein and they are triable issues. This Court cannot consider the same in an application filed under Section 482 of Cr.P.C. The petitioners have to face trial and prove their innocence. In view of the same, this Court is not inclined to quash the proceedings in C.C.No.727 of 2022 against the petitioners herein. However, in matrimonial disputes the identification of parties is not in dispute. Petitioner Nos.1 and 2 are aged parents, aged about 58 years and 65 years respectively, petitioner No.3 is brother and petitioner No.4 is married sister of A-1.

4. However, considering the fact that the disputes between A-1 and 2nd respondent are matrimonial disputes, this Criminal Petition is disposed of dispensing with the presence of the petitioners herein / A-2 to A-5

only in C.C.No.727 of 2022 pending on the file of the V Addl. Judicial Magistrate of First Class, Warangal. However, they shall appear before the said Court as and when their presence is required.

Miscellaneous petitions, if any, pending in this criminal petition, shall stand closed.

Sd/-T. SRINIVAS
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The V Additional Judicial First Class Magistrate at Warangal
2. The Station House Officer, Womens Police Station, Warangal Town and District.
3. One CC to Sri Banda Prasada Rao ,Advocate (OPUC)
4. Two CCs to Public Prosecutor, High Court for the State of Telangana Hyderabad (OUT)
5. Two CD Copies

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HIGH COURT

DATED:28/04/2022

ORDER

CRLP.No.4156 of 2022



Disposing of the CRL.P

7
26/5/22
HVL