IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE TWENTY SECOND DAY OF FEBRUARY
TWO THOUSAND AND TWENTY TWO

PRESENT THE HONOURABLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION NO: 1667 OF 2022

Between:

1. Kanakam Pochaiah @ Pocham Ramulu, S/o Ramaiah, Age 60 years, Occ. Agriculture, R/o.Eradapally village, Kesavapatnam Mandal, District Karimnagar.

 Kanakam Rajamma, W/o.Kanakam Pochaiah @ Pocham Ramulu, Age 60 years, Occ. House Wife, R/o.Eradapally village, Kesavapatnam Mandal, District Karimnagar.
 ...PETITIONERS/ACCUSED 2 & 3

AND

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

Kanakam Kavitha, W/o. Rajkumar, Aged about 33 years, Occ. House wife, R/o. Utoor village, Manakondur Mandal, District Karimnagar.
 ...RESPONDENT/DEFACTO COMPLAINANT

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 quash the Proceedings in C.C.No.1718/2021 on the Court of the Hon'ble Judicial Magistrate of First Class (Excise) at Karimnagar against the petitioners/Accused No.2 and 3 herein in the interest of Justice and equity

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 stay all further proceedings in C.C.No.1718/2021 on the Court of the Hon'ble Judicial Magistrate of First Class (Excise) at Karimnagar against the petitioners/Accused No.2 and 3 including the presence of appearance

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri KALVALA SANJEEV, Advocate for the Petitioners and of the Public Prosecutor on behalf of the Respondent No.1 and of the Respondent No.2 not appeared either in person or by Advocate.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K. LAKSHMAN CRIMINAL PETITION No.1667 of 2022

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C., to quash the proceedings in C.C.No.1718 of 2021 pending on the file of the Judicial Magistrate of First Class (Excise) at Karimnagar. The petitioners herein are accused Nos.2 and 3 in the said C.C. The offences alleged against them are under Section 498-A of IPC and Section 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. Perusal of the charge sheet in the said Calendar Case would reveal that there are disputes between A-1 and 2nd respondent and the same are matrimonial disputes. Petitioner Nos.1 and 2 are aged parents of A-1. *Prima facie*,

there are certain allegations against the petitioners herein and there are triable issues. 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.1718 of 2021 against the petitioners herein.

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 and A-3 only in C.C.No.1718 of 2021 pending on the file of the Judicial Magistrate of First Class (Excise) at Karimnagar. However, they shall appear before the court below as and when their presence is required.

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

Sd/-B.SATYAVATHI ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

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1. The Judicial Magistrate of First Class (Excise) at Karimnagar.

4. One CC to Sri Kalvala Sanjeev, Advocate (OPUC)

^{6.} One Spare Copy



The Station House Officer, Manakondur Police Station, Karimnagar District.
 Two CCs to the Public Prosecutor (TG), High Court for the State of Telangana, Hyderabad (OUT)

^{5.} Two CD Copies

HIGH COURT
DATED:22/02/2022



ORDER

CRLP.No.1667 of 2022

DISPOSING OF THE CRL.P.

8/3/22