

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

**THURSDAY, THE THIRTIETH DAY OF JUNE  
TWO THOUSAND AND TWENTY TWO**

**PRESENT**

**THE HONOURABLE SRI JUSTICE K.LAKSHMAN**

**CRIMINAL PETITION NO: 5653 OF 2022**

**Between:**

1. B Sujatha, S/o Late Purushotham Raju, Aged about 50 Years, Occ. Housewife, R/o Flat No. 4, Road.No. 3, Pavanigiri Colony, Hayatnagar, Ranga Reddy District, Telangana.
2. R Swetha, W/o R Goparaju, Aged about 30 Years, Occ. Housewife, R/o Flat No. 4, Road.No. 3, Pavanigiri Colony, Hayatnagar, Ranga Reddy District, Telangana.
3. P Shravanthi, W/o P Sriram, Aged about 28 Years, Occ. Housewife, R/o Flat No. 4, Road.No. 3, Pavanigiri Colony, Hayatnagar, Ranga Reddy District, Telangana.

**...PETITIONER/ACCUSED No 2, 3 and 4**

**AND**

1. The State of Telangana, through SHO Women Police Station, Charminar, Hyderabad District, rep. by its Public Prosecutor, High Court, Hyderabad.
2. B Bhavani, w/o B Srinivas Raju, aged about 27 years, Occ. House Wife, R/o D.No. 18-8-434/B19, Uppuguda, Hyderabad District.

**...RESPONDENT/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 Crime No. 148 of 2022 on the file of the S.H.O Women Police Station, Charminar Hyderabad District against the Petitioners.

**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 dispense with filing of the original certified copy of the FIR in Crime No. 148 of 2022 on the file of the S.H.O Women Police Station, Charminar, Hyderabad District.

**I.A. NO: 2 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 in Crime No. 148 of 2022 on the file of the S.H.O Women Police Station, Charminar, Hyderabad District against the Petitioners, Pending disposal of the Main Quash Petition in the interest of the justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri VEMPATI MALLIKARJUN SHASTRY, Advocate for the Petitioner and the Public Prosecutor (TG/AP) on behalf of the Respondent No. 1

**The Court made the following: ORDER**

**THE HONOURABLE SRI JUSTICE K. LAKSHMAN**

**CRIMINAL PETITION No. 5653 OF 2022**

**ORDER:**

This Criminal Petition under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.'], is filed seeking to quash the proceedings in Cr.No.148 of 2022, pending on the file of Women Police Station, Charminar, Hyberabad. The petitioners herein are accused Nos.2 to 4 in the said crime. The offences alleged against them are under Sections 498-A, 406, 506 and 323 of IPC.

2. Heard the learned counsel for the petitioners and learned Assistant Public Prosecutor for the respondents. Perused the record.

3. Perusal of the record would reveal that the marriage of A-1 with the 2<sup>nd</sup> respondent was performed on 26.02.2020. Thereafter, matrimonial disputes arose between them. The allegations leveled by the 2<sup>nd</sup> respondent against the petitioners herein in the complaint dated 12.06.2022 are that they have restricted her from speaking with her parents and treated her like a maid. It

is further alleged that her husband along with the petitioners herein used to harass her for additional dowry and threaten her saying that he would marry another lady by name Madhavi who is a relative. The said facts would reveal that there are matrimonial disputes between A-1 and the 2<sup>nd</sup> respondent. In matrimonial disputes, custodial interrogation of accused is not required and their personal liberty needs to be protected. The 1<sup>st</sup> petitioner is aged mother and the petitioner Nos.2 and 3 are married sisters of A-1. Thus, there are several factual aspects to be investigated into by the Investigating Officer during the course of investigation. The punishment prescribed for the offences alleged against the petitioners herein is below seven years.

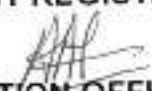
4. In view of the above discussion, this Criminal Petition is disposed of directing the Investigating Officer in Cr.No.148 of 2022, pending on the file of Women Police Station, Charminar, Hyderabad, to strictly follow the mandatory procedure contemplated under Section 41-A of Cr.P.C. and also the guidelines issued by the Hon'ble

Supreme Court in **Arnesh Kumar v. State of Bihar**<sup>1</sup>. Till completion of investigation and filing of final report, the Investigating Officer is further directed not to arrest the petitioners herein/A-2 to A-4. However, it is made clear that the petitioners shall cooperate with the Investigating Officer by furnishing information and documents as sought by him in concluding the investigation.

Miscellaneous Petitions, pending if any, shall stand closed.

<sup>1</sup> (2014) 8 SCC 273

Sd/- P. PADMANABHA REDDY  
ASSISTANT REGISTRAR

  
SECTION OFFICER

//TRUE COPY//

To,

1. The XV Addl Chief Metropolitan Magistrate at Hyderabad.
2. The Station House Officer, Women Police Station, Charminar, Hyderabad.
3. One CC to SRI. VEMPATI MALLIKARJUN SHASTRY, Advocate [OPUC]
4. Two CCs to SRI. PUBLIC PROSECUTOR, Advocate [OUT]
5. Two CD Copies
6. One Spare Copy

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HIGH COURT

DATED:30/06/2022



ORDER

CRLP.No.5653 of 2022

DISPOSING OF THE CRIMINAL PETITION

(5) Copies

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27/7/22