

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE FIFTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SMT JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 1051 OF 2020

Between:

1. N.Padmamma, W/o. Late Naganna, Aged 52 yrs., A2, - R/o. Yerramatam Village, Kothapalli Mandal, Kurnool District.
2. Nageswaramma, W/o. Shiva Naganna, D/o. Late Naganna, A3, Aged 34 yrs., Rio. Naglooti Village, Midthoor Mandal, Kurnool District.
3. Nagaveni, W/o. Babuji, D/o. Late Naganna, Aged 29 yrs, A4, R/o. Yerraguntla Village, Bandi Athmakur Mandal, Kurnool District.

...Petitioners/Accused No.2 to 4

AND

1. The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court at Amaravathi.
2. Priyanka Sheelam, W/o. N. Achanna, D/o. S.Prakash Rao, Aged 20 yrs., R/o. Yerramattam Village, Kothapalli Mandal, Kurnool District.

...Respondents

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 of Crime No.1 of 2020 of Kothapalli Police Station, Kurnool District alleged offence u/s. 498A, 497, 313 r/w. 34 IPC and 3 and 4 of D.P.

I.A. NO: 2 OF 2020

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 of all further proceedings including

arrest of the petitioners in Crime No.1 of 2020 of Kothapalli Police Station, Kurnool District pending disposal of the quash proceedings.

I.A. NO: 1 OF 2022

Between:

Priyanka Sheelam, W/o. N.Achanna, D/o. S.Prakash Rao, Aged 20 yrs.,
R/o. Yerramattam Village, Kothapalli Mandal, Kurnool District.

...Petitioners/Respondent No.2

AND

1. N.Padmamma, W/o. Late Naganna, Aged 52 yrs., A2, - R/o. Yerramatam Village, Kothapalli Mandal, Kurnool District.
2. Nageswaramma, W/o. Shiva Naganna, D/o. Late Naganna, A3, Aged 34 yrs., Rio. Naglooti Village, Midthoor Mandal, Kurnool District.
3. Nagaveni, W/o. Babuji, D/o. Late Naganna, Aged 29 yrs, A4, R/o. Yerraguntla Village, Bandi Athmakur Mandal, Kurnool District.

...Petitioners/Accused 2 to 4

4. The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court at Amaravathi.

...Respondent/Respondent

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 vacate the interim stay granted in I.A.No.2/2020 in CRLP No.1051 of 2020 dated 19-03-2020.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Venkat Reddy Kodumury, Advocate for the Petitioners and the Public Prosecutor on behalf of the Respondent No.1 and Sri B. Parameswara Rao, Advocate for the Respondent No.2.

The Court made the following Order:

IN THE HIGH COURT OF ANDHRA PRADESH ::
AMARAVATI

HONOURABLE SMT JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 1051 OF 2020

Between:

1. N.Padmamma (A2), W/o. Late Naganna, Aged 52 years, R/o. Yerramatam Village, Kothapalli Mandal, Kurnool District.
2. Nageswaramma (A3), W/o. Shiva Naganna, D/o. Late Naganna, Aged 34 yrs., R/o. Naglooti Village, Midthoor Mandal, Kurnool District.
3. Nagaveni (A4), W/o. Babuji, D/o. Late Naganna, Aged 29 yrs, R/o. Yerraguntla Village, Bandi Athmakur Mandal, Kurnool District.

...Petitioner/Accused

AND

1. State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court at amaravathi
2. Priyanka Sheelam, W/o. N.AChanna, D/o. S.Prakash Rao, Aged 20 years, R/o. Yerramattam Village, Kothapalli Mandal, Kurnool district.

...Respondents/Complainants

Counsel for the petitioner/s : Sri Venkat Reddy Kodumury
Counsel for respondent No.1 : Assistant Public Prosecutor
Counsel for respondent No.2 : --

ORDER:

The instant petition under Section 482 of the Code of Criminal Procedure, 1973 (in short "Cr.P.C.") has been filed, by the petitioners/A2 to A4, seeking quashment of the proceedings against them in Cr.No.1 of 2020 of Kothapalli Police Station, Kurnool District.

2. Heard Sri Venkat Reddy Kodumury, learned counsel for the petitioners and Ms.D.Prasanna Lakshmi, learned Assistant Public Prosecutor, representing the State/Respondent No.1.

3. Learned counsel for the petitioners would submit that the petitioners are innocent of the offence. Petitioner/A2 is the mother-in-law and A3 & A4 are sisters-in-law of the respondent No.2. A3 and A4 are married and are not residing with respondent No.2. There are no specific allegations against the petitioners.

4. Contra to the same, learned Assistant Public Prosecutor would submit that the complaint reveals serious allegations made against the petitioners/A2 to A4. It is not a fit case for quashment, prays to dismiss the petition.

5. Having heard the submissions of the learned counsel representing both parties and a fair look at the averments made in the complaint, as rightly put by the learned Assistant Public Prosecutor, there are serious allegations made against the petitioners. This Court while exercising the jurisdiction under Section 482 Cr.P.C., cannot conduct mini trial to decide the truth or otherwise of such allegations made against the petitioners. Petition is devoid of merits and liable to be dismissed.

6. In the result, the Criminal Petition is dismissed.

Pending applications, if any, shall stand closed.

SD/- G HELA NAIDU
ASSISTANT REGISTRAR

//TRUE COPY//

Shankar
SECTION OFFICER

To,

1. The Station House Officer, Kothapalli Police Station, Kurnool District
2. One CC to Sri Venkat Reddy Kodumury, Advocate [OPUC]
3. One CC to Sri B Parameswara Rao, Advocate [OPUC]
4. Two CC's to the Public Prosecutor, High Court of Andhra Pradesh at Amaravati [OUT]
5. Three CD Copies

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HIGH COURT

DATED:15/02/2024

ORDER

CRLP.No.1051 of 2020

DISMISSING THE CRLP



8 Copies
SN
16/04/2024