

**IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI**

FRIDAY, THE TWENTY FOURTH DAY OF FEBRUARY  
TWO THOUSAND AND TWENTY THREE

**PRESENT****THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY****CRIMINAL PETITION NO: 1473 OF 2023****Between:**

1. M.Narasamma, W/o. Venkateswarlu, age 58 years, R/o. D.No.1-17, Rajaka Colony, Piduguralla, Guntur District
2. M.Venkateswarlu, S/o. Obulu, age 71 years, R/o. D.No.1-17, Rajaka Bazar, Piduguralla, Guntur District

**...Petitioners****AND**

1. The State Of Andhra Pradesh, Rentachintala Police Station, Guntur District  
Rep. by its Public Prosecutor, High Court, Amaravati
2. M. Audi Lakshmi, W/o. Narasimharao, age 25 years, R/o. Jettipalem, Rentachintala, Guntur 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 call for the records in C.C.No.760/2021 on the file of the Additional Junior Civil Judge, Gurazala, Guntur District for offences U/s. 498-A of I.P.C., and Sec. 3 & 4 of Dowry Prohibition Act and quash the same as the same is illegal, contrary to law and abuse of the process of Law

**I.A. NO: 2 OF 2023**

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 may be pleased to grant stay of all further proceedings in C.C.No.760/2021 on the file of the Additional Junior Civil Judge, Gurazala, Guntur District for offences U/s. 498-A of I.P.C., and Sec. 3 & 4 of Dowry Prohibition Act including appearance pending disposal of the criminal petition

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

**The Court made the following: ORDER**

**HON'BLE SRI JUSTICE K. SREENIVASA REDDY**

**Criminal Petition No.1473 of 2023**

**Order:**

This Criminal Petition, under Section 482 Cr.P.C., has been filed on behalf of the petitioners/A-2 and A-3 to quash the proceedings in CC No.760 of 2021 on the file of the learned Additional Junior Civil Judge, Gurazala.

2. A charge sheet has been filed against the petitioners herein and others for the offences punishable under Section 498A IPC and Sections 3 and 4 of the Dowry Prohibition Act.
3. Case of the prosecution, in brief, is that, marriage between the *de facto* complainant and A-1 was performed about 6 years back and at the time of marriage the parents of the *de facto* complainant gave cash of Rs.1,50,000/- and one sovereign of gold ring to A-1 as dowry. After one year of their marriage, they blessed with a son. Then, A-1 to A-6 started harassing the *de facto* complainant both physically and mentally by demanding additional dowry. Further, A-2 harassed the *de facto* complainant alleging that her son was not born through A-1. On 25.07.2021, A-1 to A-6 went upon the *de facto* complainant and her daughter and poured petrol on them by demanding additional dowry,

otherwise leave their house. On hearing the cries of the *de facto* complainant, neighbours came there and rescued them.

4. Learned counsel for the petitioners herein, after arguing for some time, has confined his argument to the extent of dispensing with the presence of the petitioners herein before the trial Court.

5. On the other hand, learned Assistant Public Prosecutor submitted that the averments contained in the charge sheet are all disputed questions of fact which can be decided during the course of trial.

6. Since the accusations that have been made as against the petitioners herein in the charge sheet are all disputed questions of fact the same can be decided during the course of trial and this Court, in a petition filed under Section 482 Cr.P.C., could not be in a position to conduct a roving enquiry into the disputed questions of fact and quash the proceedings at this stage.

7. In view of the aforesaid facts and circumstances of the case, this Court is not inclined to quash the proceedings against the petitioners herein. However, presence of the petitioners herein/A-2 and A-3 only before the trial Court is dispensed with, except on those

dates when the learned Magistrate feels that their presence is necessary.

8. Accordingly, the Criminal Petition is disposed of.

9. As a sequel thereto, the miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.

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SD/- M. SRINIVAS  
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Additional Junior Civil Judge, Gurazala
2. The Station House Officer, Rentachintala P.S., Guntur District
3. One CC to Sri Thota Ramakoteswara Rao, Advocate [OPUC]
4. Two CCs to the Public Prosecutor, High Court of AP at Amaravathi [OUT]
5. Two CD Copies

sree

k.ch. chowdary

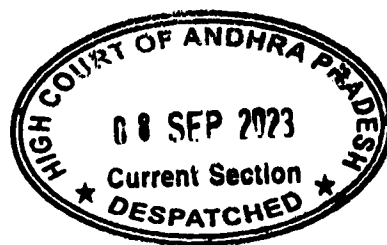
**HIGH COURT**

**DATED:24/02/2023**

**ORDER**

**CRLP.No.1473 of 2023**

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**DISPOSING OF THE CRIMINAL PETITION**