

**IN THE COURT OF THE JUDICIAL MAGISTRATE OF FIRST CLASS
:: AT :: BHAINSA**

**PRESENT:- SRI D.DEVENDRA BABU,
JUDICIAL MAGISTRATE OF FIRST CLASS,
BHAINSA.**

MONDAY, THIS THE 01st DAY OF SEPTEMBER, 2025

C.C.No.161 OF 2020

BETWEEN:-

The State of Telangana Rep. by P.S.Tanoor.

...COMPLAINANT

AND

A1: Kondi Yogesh S/o. Ramchandar, Age: 24 years, Occ: Coolie,
A2: Kondi Gopi S/o.Ramchandar, Age: 30 years, Occ: Agriculture coolie,
A3: Kondi Rupa W/o. Gopi, Age: 25 years, Occ: Agriculture coolie,
A4: Kondi Ramchandar S/o. Lasmanna, Age: 48 years, Occ: Agriculture coolie,
A5: Kondi Bhulaxmi W/o. Ramchandar, Age: 43 years, Occ: Agriculture,
All Caste: Munnurukapu, R/o, Puspur village of Lokeshwaram mandal.

...ACCUSED No.1 to 5

This case coming before me on 23.07.2025 for final hearing in the presence of the learned A.P.P.O for the complainant and of Sri.T.Sainath, the learned counsel for the accused No.1 to 5 and the matter having stood over till this day for consideration, this court delivered the following:-

-:: J U D G M E N T ::-

1. The Sub Inspector of Police, P.S. Tanoor filed the charge sheet in Crime No.74 of 2019 for the offence punishable U/s.498(A) of IPC and Sec.4 of Dowry Prohibition Act against the accused No.1 to 5.

2. The brief allegations in the charge sheet are as follows:-

That on 01.08.2019 at 1700 hours the complainant/Kondi Savitha @ Rani has lodged a report stating that her father died, while her age was 2 years and since then she is residing with her maternal uncle along with her mother. Her mother Mona Bai and her maternal uncles Mulla Mohan and Mulla Mallesh performed her marriage with one Kondi Yogesh as per caste custom and tradition on 01.05.2016 and at the time of marriage on the demand of her in-laws they gave Rs.3.00,000/- net cash, one tula gold and one motor cycle and other house hold articles worth of Rs.2,00.000/- given to her husband under Pasupu kumkuma. After the marriage complainant and her husband for lived together happily for 1 month. Later her husband habituated to alcohol and every day night he used to consume alcohol and everyday night he used he quarreled with the complainant by harassing physically and mentally to bring additional dowry from her parents. Later complainant husband harassed her with the support of his family members and threatened her that if she did not get additional dowry her husband would be perform second marriage and necked her out to her matrimonial house. Later at the time of her 5th month pregnancy her husband went to her parents house and said her that they would like to do Shreemantham function at her in-laws house and took complainant to their house but they didn't made any function harassed her to bring additional dowry from her parents house and the same was informed by the

complainant to her mother. Later as per the request of her mother, they conducted panchayath at Lohesra village and in the panchayath elders given counseling to her husband and in the said panchayath her husband and her husband's parents agreed that they would not harass her, even then they did not change their attitude and stated that as she is black and if she would not bring additional dowry from her parents her husband would be perform second marriage and necked her out from their house on 18.06.2017. Since then she has been living at her parents house at Bhoshi village. Later the complainant gave birth to a baby, now the baby age is 22 months and till now yet her husband or her in laws did not come to her parents house and see the baby. Hence, the report.

3. Based on the above statement, the LW-12/G.Rajanna, SI of police, P.S Tanoor has registered a case in Cr.No.74/19 for the offence U/Sec. 498-A IPC. and Sec.4 D.P Act, issued FIR and took up the investigation. During the course of investigation the LW12 examined and recorded the statement of LW1 and LW2. Later the LW12 visited the Bhosi village of Tanoor mandal where he examined the LW3 to LW5 and recorded their statements. Later the LW12 collected Wedding card and marriage photographs of LW1 from the possession of LW1. On 07.08.2019 at 13.30 hours the accused No.1 surrendered in the before the LW12 in the police station and voluntarily admitted to have committed this offence and then

LW12 served a notice U/Sec. 41-A Cr.P.C. to the accused No.1. Later the LW12 again visited the Bhosi village of Tanoor mandal where he examined the LW6 and LW7 and recorded their statements. Further the LW12 visited Puspur village of Lokeshwaram mandal where he examined LW8 and LW9 and recorded their statements. Later the LW12 secured the presence of two mediators i.e., LW10 and LW11 before whom drawn rough sketch and conducted CDF. On 09.02.2020 at 11.30 hours the accused No.2 to 5 came to the police station and surrendered before the LW12 and voluntarily admitted their guilt. Then LW12 served notice U/s.41-A Cr.P.C notice to the accused No.2 to 5. After completion of investigation, the LW12 filed charge-sheet against the accused persons.

4. This court took cognizance for the offences U/s. 498(A) of IPC and Sec.4 of Dowry Prohibition Act against the accused No.1 to 5 on 27.07.2020. The copies of the documents were furnished to them as required U/Sec.207 of Cr.P.C. and when they were examined U/Sec.239 of Cr.P.C. for which the accused No.1 to 5 pleaded not guilty and claimed to be tried for the offences U/s. 498(A) of IPC and Sec.4 of Dowry Prohibition Act. Hence the charges for the offences U/s. 498(A) of IPC and Sec.4 of Dowry Prohibition Act against the accused persons are framed and read over and explained to them.

5. In order to bring home the guilt of the accused persons, the prosecution examined the PW1 to PW11 and the documents marked under Ex.P-1 to Ex.P3. No witnesses and no documents marked on behalf of the accused persons. The evidence of LW12 was closed as the prosecution have failed to produce his evidence inspite of several conditional orders.

6. After completion of the prosecution evidence, the accused persons were examined U/Sec.313 of Cr.P.C. with reference to the prosecution evidence appeared against them, for which the accused persons denied the incriminating evidence and reported no defence evidence.

7. Heard, the arguments from both sides and perused the case record.

8. Now the point for determination is:-

Whether the prosecution proved its case beyond reasonable doubts for the offences punishable U/s. 498(A) of IPC and Sec.4 of Dowry Prohibition Act against the accused No.1 to 5 ?

9. **POINT:-** To prove its case, the prosecution have examined PW1, Kondi Savitha @ Rani who is the complainant in this case has deposed that she was

married to the accused No.1 and at the time of her marriage her parents gifted Rs.3,00,000/- cash, 1 tula gold, one bike also Rs.2,00,000/- worth of household articles as dowry, later after one month of her marriage the accused No.1 started harassing her by over her colour complex and also used to harass for not bringing more dowry, later PW1 was conceived and was sent to her parents home. Later PW1 joined the company of the accused No.1 after Srimantham function again after 2 days the accused No.1 used to hit PW1 and necked PW1 out of her matrimonial home during night, later PW1 was blessed with baby girl and even then the accused never came to see the baby girl and later a panchayat took place before the elders but the accused never change his attitude, later PW1 lodged a police report in the Police Station as in Ex P1.

10. Further the prosecution have examined PW2, Mulla Monabai who is the mother of the PW1 has deposed that in the year 2016 PW1 was given in marriage of accused No.1 and after one month of her marriage the accused No.1 to 5 started harassing PW1 by hitting for demand of additional dowry of Rs.3,00,000/-. However PW2 instructed PW1 to join in matrimonial house and later PW1 got conceived and sent PW1 to the house of the PW2 and later after 5 months the accused No.1 came and took back PW1 along with her husband resided happily for 2 days in their matrimonial house. later PW1 informed PW2 that the accused

persons are harassing constantly for additional dowry and caused burn injury to PW1 and on enquiry the accused No.4 hit PW2 and informed that they have given less dowry. PW2 further deposed that the accused No.5 also instigated the accused No.1 to hit PW1 with Gadagoyya and necked her out from her matrimonial house during night and PW1 has been spent whole night outside the house of the accused No.1 and later on the next day PW2 took PW1 to medical examination.

11. Further the prosecution have examined PW3, Mulla Yogesh who is the brother of the PW1 has deposed that in the year 2016 PW1 was married to the accused No.1 and since then accused persons started harassing PW1 for demand of additional dowry of Rs.3,00,000/- and later a panchayat took place, but the accused No.1 did not change his attitude. Later after 3 days of PW1 pregnancy, the accused persons questioned PW1 regarding who has to pay the pregnancy expense, later PW1 lodged a report in the police station as in Ex P1.

12. Further the prosecution have examined PW4, Mulla Monaji @ Mohan who is the witness in this case has deposed that in the year 2016 PW1 was married to the accused No.1 and at the time of marriage they gave Rs.3,00,000/- cash, 1 tula of gold, 1 bike worth of Rs.90,000/- and Rs.2,00,000/- worth of household articles

as dowry to the accused No.1, later after one month PW1 was necked out of her matrimonial house. Later a panchayat took place, later PW1 was conceived and for doing Streemantham function PW1 was taken back by accused No.1. Later PW1 was blessed with baby girl, even then the accused No.1 again started harassing PW1 by demanding additional dowry of Rs.3,00,000/- and also used to harass her stating that she is dark and the accused No.1 also snatched the mobile phone of PW1 and destroyed it.

13. Further the prosecution have examined PW5, Mulla Mallesh who is the witness in this case has deposed that in the year 2016 PW1 was married to the accused No.1 at the time of her marriage PW1 given one tula gold, one bike, Rs.3,00,000/- cash. Immediately after one month the accused No.1 to 5 started hitting PW1 and continue to harass even after conducting panchayath over her colour complex.

14. Further the prosecution have examined PW6, Manugonda Ramulu who is the witness in this case has deposed that in the year 2016 PW1 was married to the accused No.1 at the time of her marriage PW1 given one tula gold, one bike, Rs.3,00,000/- cash. Immediately after one month the accused No.1 to 5 started

hitting PW1 and continue to harass even after conducting panchayath over her colour complex.

15. Further the prosecution have examined PW7, Bai Kishan who is witness in this case has deposed that there was a panchayat took place between the accused No.1 to 5 and PW1 and their family members one in Lokeshwaram, Puspur and Bhosi Villages and PW7 was present in all the panchayats and in the panchayath it was resolved to maintain cordial relationship, but the accused No.1 to 5 continue to harass PW1 for demand of additional dowry, but the PW7 came know about the demand of additional dowry and harassment of the accused No.1 to 5 through PW1.

16. Further the prosecution have examined PW8, Gannu Potha Reddy who is the witness in this case has deposed that in front of her house there is a house of grandmother of the accused No.1 then there was a galata between the accused No.1 and his wife, then there was public gathering.

17. Further the prosecution have examined PW9, Gudesela Gangamani who is the witness in this case has deposed that the complainant i.e., PW1 never used to

reside in the house of the accused No.1 and used to quarrel with the accused No.1 frequently. Later a panchayat took place in which PW1 agreed to join the company of the accused No.1 and returned to the matrimonial house of the accused No.1 but later again left the company of the accused No.1 and further the accused No.1 to 5 never harassed PW1 or demanded any additional dowry.

18. Further the prosecution have examined PW10, Rasamolla Srinivas who is the panch witness to the scene of offence panchanama has deposed that 4 years back police came there village and conducted enquiry and as PW10 were present at the spot and they obtained his signature and conducted panchayath as in Ex.P3. However in the cross examination PW10 admitted that he do not know the contents of the Ex.P3.

19. Further the prosecution have examined PW11, Sindhe Shankar who is the panch witness to the scene of offence panchanama has deposed that 4 years back police came there village and conducted enquiry and as PW11 was present at the spot and they obtained their signature and conducted panchayath as in Ex.P3. However in the cross examination PW10 admitted that he do not know the contents of the Ex.P3.

20. As it could be seen from the above evidences that all the witnesses i.e., PW1 to PW7 are supporting the case of the prosecution and has clearly deposed that the accused persons used to harass PW1 and necked her out of her matrimonial house and also made specific references about the harassments of the accused persons after two days of the Srimantham function and also caused burn injuries to the PW1, but has not filed any medical certificates to show that PW1 was inflicted with burn injuries in this case. Prosecution has not filed any documents to show that accused persons were given dowry and also not adduce any oral evidence who witnessed PW1 giving dowry to the accused No.1. further PW2 to PW8 are not an eyewitnesses and came to know about the harassments through PW1. Further PW9 who is the prosecution witness has clearly deposes that the accused No.1 to 5 never harassed PW1 and never demanded additional dowry. It is true that the harassments in the case of the 498-A of IPC shall occurred within four walls and having very less public view. However in this case police have cited PW9 as witness who is the neighbor of the matrimonial house of PW1 and has participated in the panchayath and the said PW9 has deposed that the accused never harassed PW1 and PW1 never used to reside in the house of the accused No.1 and also used to quarrel with the accused. No.1. Further the PW10 and 11 who are the panch witness to the scene of offence panchanama has admitted in their cross examination that they do not know the contents of the said panchanama. Thus in

views of the evidence of PW9 this court holds that the accused is entitled for the benefit of doubt. As such due to lack of evidence, this court do not hesitate to held that the prosecution has miserably failed to prove the guilt of the accused persons.

21. For the reasons stated above and considering the facts and circumstances of the case, the prosecution failed to prove the case for the offences U/s. 498(A) of IPC and Sec.4 of Dowry Prohibition Act against the accused No.1 to 5 and the accused persons are entitled for acquittal. Accordingly, the point is answered.

22. **IN THE RESULT**, this court found the Accused No.1 to 5 are not guilty for the offences U/s. 498(A) of IPC and Sec.4 of Dowry Prohibition Act and they are acquitted under Section 248(1) of Cr.P.C. The bail bonds of the Accused No.1 to 5 shall stands cancelled subject to the Sec.437-A of Cr.P.C. for a period of six months.

Dictated to my Stenographer, transcribed by her, corrected and pronounced by me in the open court on this the 01st day of September, 2025.

**JUDICIAL FIRST CLASS MAGISTRATE,
BHAINSA.**

APPENDIX OF EVIDENCE
(WITNESSES EXAMINED ON BEHALF OF)

FOR PROSECUTION:

PW-1 Kondi Savitha @ Rani
PW-2 Mulla Monabai
PW-3 Mulla Yogesh
PW-4 Mulla Monaji @ Mohan
PW-5 Mulla Mallesh
PW-6 Manugonda Ramulu
PW-7 Bai Kishan
PW-8 Gannu Potha Reddy
PW-9 Gudesela Gangamani
PW-10 Rasamolla Srinivas
PW-11 Sindhe Shankar

FOR ACCUSED:

-NONE-

EXHIBITS MARKED

FOR PROSECUTION:

Ex.P-1: Police report
Ex.P-2: 161 Cr.P.C statement of the PW9
Ex.P-3: CDF panchanama

FOR ACCUSED:

-NIL-

MATERIAL OBJECTS

-NIL-

**JUDICIAL FIRST CLASS MAGISTRATE,
BHAINSA.**

CALENDAR AND JUDGMENT**IN THE COURT OF THE JUDICIAL MAGISTRATE OF FIRST CLASS
AT BHAINSA.****C.C. No.161 OF 2020**

1. Complainant : State, SI of Police, P.S.Tanoor
2. Cr.No. & Nature of Offence : Cr.No.74/2019 for the offence U/s. 498(A) of IPC and Sec.4 of Dowry Prohibition Ac
3. Name of the accused :

A1: Kondi Yogesh S/o. Ramchandar, Age: 24 years, Occ: Coolie,
 A2: Kondi Gopi S/o.Ramchandar, Age: 30 years, Occ: Agriculture coolie,
 A3: Kondi Rupa W/o. Gopi, Age: 25 years, Occ: Agriculture coolie,
 A4: Kondi Ramchandar S/o. Lasmanna, Age: 48 years, Occ: Agriculture coolie,
 A5: Kondi Bhulaxmi W/o. Ramchandar, Age: 43 years, Occ: Agriculture,

All Caste: Munnurukapu, R/o, Puspur village of Lokeshwaram mandal.

...ACCUSED No.1 to 5

D A T E S:

1.	OFFENCE	18.06.2017
2.	COMPLAINT	01.08.2019
3.	APPREHENSION OF ACCUSED	07.08.2019
4.	COMMENCEMENT OF TRIAL	30.06.2025
5.	CLOSURE OF TRIAL	18.07.2025
6.	JUDGMENT	01.09.2025
7.	PLEA OF THE ACCUSED	Not Guilty

4. SENTENCE OR ORDER : **IN THE RESULT**, this court found the Accused No.1 to 5 are not guilty for the offences U/s. 498(A) of IPC and Sec.4 of Dowry Prohibition Act and they are acquitted under Section 248(1) of Cr.P.C. The bail bonds of the Accused No.1 to 5 shall stands cancelled subject to the Sec.437-A of Cr.P.C. for a period of six months.

5. REMARKS : -Nil-

**JUDICIAL FIRST CLASS MAGISTRATE,
BHAINSA.**