



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3327]

MONDAY, THE FOURTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 4405/2022

Between:

1.ABDUL ALEEM, S/O ABDUL LATHEEF, 30Y, OCC
DOCTOR, D.NO. 3-2-144, SAVARAN STREET,
KARIMNAGAR, TELANGANA STATE.

...PETITIONER/ACCUSED

AND

1.THE STATE OF ANDHRA PRAESH, REP. BY ITS PUBLIC
PROSECUTOR, HIGH COURT AT AMARAVATHI.

2.J INDIRA PAWAR, D/O. CHANDIAH, 29Y, OCC. DOCTOR,
D.NO. 13-51/1, PINNAMANENI TEACHERS COLONY,
2ND ROAD, KANURU VILLAGE, PENAMALURU
MANDAL, VIJAYAWADA, KRISHNA DISTRICT.

...RESPONDENT/COMPLAINANT(S):

Petition under Section 437/438/439/482 of Cr.P.C and 528
of BNSS praying that in the circumstances stated in the
Memorandum of Grounds of Criminal Petition, the High
Courtpleased to quash the Criminal proceedings against
petitioner/Accused S.C.SPL.No. 13/2021 pending on the file of III
Additional District and Sessions Judge and Special Court for
SC,ST (POA) Cases, Vijayawada and pass

IA NO: 1 OF 2022

Petition under Section 482 of Cr.P.C and 528 of BNSS 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 including appearance of the Petitioner/Accused in S.C.SPL.No. 13/2021 pending on the file of III Additional District and Sessions Judge and Special Court for SC,ST (POA) Cases, Vijayawada

Counsel for the Petitioner/accused:

1.CHALLA AJAY KUMAR

Counsel for the Respondent/complainant(S):

1.RAMA CHANDRA REDDY VUPPADA

2.PUBLIC PROSECUTOR (AP)

The Court made the following ORDER:

This Criminal Petition has been filed under Section 482 of the Code of Criminal Procedure, 1973, by the petitioner /Accused, seeking to quash the proceedings initiated in S.C.SPL.No.13 of 2021 on the file of the III Additional District and Sessions Judge-cum-Special Court for trial of cases under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, Vijayawada, registered for the offences punishable under Sections 417, 420, 313 of the Indian Penal Code, 1860 and 3(1)(W)(i) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

2. Heard Sri Challa Sivasankar, learned counsel for the petitioner/Accused, learned Assistant Public Prosecutor appearing for respondent No.1 and Sri V. Rama Chandra Reddy, learned counsel for respondent No.2/*de-facto* complainant.

3. Case of the prosecution is that respondent No.2/*de-facto* complainant and the petitioner/accused are the students of Dental Science. During the month of December, 2015, they became acquainted with each other through Face Book and during their conversation, the petitioner/accused stated that he had also completed a Degree of Bachelor of Dental Surgery (BDS) and was planning to pursue higher studies. As both of them shared a similar academic background, respondent No.2/*de-facto* complainant accepted his friend request and they started communicating and discussing matters related to their studies. During the course of their acquaintance, the petitioner/accused proposed respondent No.2/*de-facto* complainant, expressing his will and wish that he had fallen in love with her and promised to marry her. Believing his words, she accepted his proposal during the month of January, 2016.

Thereafter, the petitioner/accused came to Vijayawada and requested her to meet him, however, she refused to do so. Later,

in the month of March, 2016, the petitioner/accused informed her that he would be coming to Vijayawada and insisted her to meet him. If she refused to meet him, he threatened to commit suicide. Out of fear, respondent No.2/de-facto complainant agreed to meet him. Accordingly, on 10.03.2016, the petitioner/accused visited Vijayawada, met her and had a meal with her at hotel. Again, on 03.04.2016, the petitioner/accused met her in a hotel and both of them had breakfast together. Later, the petitioner/accused allegedly took her to Room No.508 of Hotel Manorama, Vijayawada, and rigged her consent forcibly for physical contact under the guise that he would marry her. Thereafter, the petitioner/accused is alleged to have had physical intercourse with respondent No.2/de-facto complainant on several occasions. Later, when the de-facto complainant got pregnancy and when she informed the same to the petitioner/accused, he told her that he would marry her by convincing his parents. However, when respondent No.2/de-facto complainant insisted him to marry her, he suggested her to undergo abortion as it would not be appropriate to be pregnant at the time of marriage. Despite her protest, the petitioner/accused forced her to undergo abortion and got aborted her at Padmavathi Nursing Home. Thereafter, when respondent No.2/de-facto complainant questioned the

petitioner/accused about their marriage, he blatantly refused to marry her on the ground that she belonged to a Scheduled Tribe (ST) community and the petitioner/accused intentionally deceived respondent No.2/de-facto complainant by making false promise of marriage, and induced her to enter into a physical relationship with him and thereby cheated her. Basing on the statement of respondent No.2/de-facto complainant, a case in crime No.425 of 2018 was registered for the offences under Sections 417, 420, 313 of IPC and & Section 3(1)(W)(i) of SC/STs (POA) Act, 2015. After completion of investigation, the police filed charge sheet in the said crime, which was taken on file as S.C.SPL.No.13 of 2013 on the file of the III Additional District Sessions Judge & Special Court for the SCs & the STs (PoA) Cases, Vijayawada.

4. Learned counsel for the petitioner/Accused submits that respondent No.2/de-facto complainant initially lodged a complaint against the petitioner/Accused on 24.06.2025 before the Penamaluru Police Station, Vijayawada, and accordingly a case in crime No.425 of 2018 was registered for the offences under Sections 313, 417, 420 of the IPC and later the section of law was altered to Sections 313, 417, 420 of IPC and Section 3(1)(w)(i)(2)(va) of SCs/STs (POA) Amendment Act, 2015 on the

file of the III Additional District Sessions Judge & Special Court for SC & ST (POA) Cases, Vijayawada, based on the statement of respondent No.2/de-facto complainant. He further submits that the petitioner/accused is innocent of the offences, much less the alleged offences initiated against him and he was falsely implicated in the present crime.

5. Learned Assistant Public Prosecutor submits that the police, after completion of investigation, filed charge sheet, which was taken on file as S.C.SPL.No.13 of 2021 on the file of the III Additional District Sessions Judge & Special Court for SC & ST (POA) Cases, Vijayawada. He further submits that trial has already commenced and it may not be appropriate for this Court to probe into the matter for questioning the proceedings. Hence, prays for dismissal of the Criminal Petition.

6. Considering the submissions of the learned counsel and having regard to the facts and circumstances of the case and the specific accusations, and in view of the fact that the trial has already commenced, it is unsafe for this Court to deeply probe into the matter for quashing of the proceedings, instead, it would suffice to direct the petitioner to raise and agitate all permissible grounds, as raised herein, before the trial Court, during the

course of trial, which will be determined by a competent criminal Court.

7. Accordingly, the Criminal Petition is dismissed. However, the petitioner/accused is at liberty to raise and agitate all permissible grounds before the Trial Court during the course of trial, in accordance with law.

As a sequel thereto, miscellaneous applications pending, if any, shall stand closed.

JUSTICE K SREENIVASA REDDY

Date: 04.05.2026
ANS/DRK

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THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 4405/2022

Date: 04.05.2026
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