



**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: 4801/2022

Between:

1. LINGAM CHIRANJEEVI, S/O. KANNA RAO, AGED ABOUT 40 YEARS, CASTE BY MALA, R/O. D.NO. 4-56-1, RAMUDUPALEM, NADAKUDURU VILLAGE, CHALLAPALLI MANDAL, KRISHNA DISTRICT. (HUSBAND)
2. LINGAM KANNA RAO, S/O. RAGHAVALU, AGED ABOUT 68 YEARS, CASTE MALA, R/O. D.NO. 4-56-1, RAMUDUPALEM, NADAKUDURU VILLAGE, CHALLAPALLI MANDAL, KRISHNA DISTRICT.
3. LINGAM PADMAKUMARI, W/O. KANNARAO, AGED ABOUT 63 YEARS, CASTE MALA, D.NO. 4-56-1, RAMUDUPALEM, NADAKUDURU VILLAGE, CHALLAPALLI MANDAL, KRISHNA DISTRICT.

...PETITIONER/ACCUSED(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC PROSECUTOR, HIGH COURT AT AMARAVATHI. THROUGH STATION SUB-INSPECTOR OF POLICE, MACHAVARAM P.S. VIJAYAWADA CITY.

2.LINGAM SNEHALATHA, W/O. CHIRANJEEVI, 40 YEARS,
BY MALA, OCC, HOUSE WIFE, R/O.FLAT NO. 403,
SWATHI TOWERS, OPP NAVODAYA PUBLIC SCHOOL,
MACHAVARAM, PRAJASAKTHI NAGAR, VIJAYAWADA
CITY.

...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 Court to quash the proceedings C.C. No. 8086/2019 on the file of Honourable Court of IV Additional Chief Metropolitan Magistrate, Vijayawada dated 24-12-2019 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 dispense with the filing of certified copy of in C.C No. 8086/2019 on the file of Hon'ble Court of IV Additional Chief Metropolitan Magistrate, Vijayawada dated 24-12-2019 and pass

IA NO: 2 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 stay of all further proceedings in proceedings C.C No. 8086/2019 on the file of Hon'ble Court of IV Additional Chief Metropolitan Magistrate, Vijayawada dated 24-12-2019 including arrest pending disposal of the quash petition and pass

Counsel for the Petitioner/accused(S):

1.CHALLA AJAY KUMAR

Counsel for the Respondent/complainant(S):

1.B V ANJANEYULU

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 petitioners /Accused Nos.1 to 3, seeking to quash the proceedings in C.C.No.8086 of 2019 on the file of the IV Additional Chief Metropolitan Magistrate, Vijayawada, registered for the offences punishable under Sections 498-A of the Indian Penal Code, 1860, and 3 and 4 of the Dowry Prohibition Act, 1961.

2. Heard Sri Challa Ajay Kumar, learned counsel for the petitioners/Accused Nos.1 to 3, learned Assistant Public Prosecutor for respondent No.1 and Sri B.V. Anjaneyulu, learned counsel for respondent No.2.

3. Case of the prosecution is that on 17.10.2013, marriage of respondent No.2/de-facto complainant was solemnized with accused No.1 at the Gunadala Bishop Grace School Kalyanamandapam, Vijayawada, in the presence of elders from both families and in accordance with the customs and rites of their religion. At the time of the marriage, parents of respondent

No.2/de-facto complainant allegedly presented Rs.50,00,000/-, 40 sovereigns of gold and Rs.5,00,000/- towards 'Adapaduchu Lanchanam' as dowry, as well as Rs.6,00,000/- for purchase of a car for Accused No.1 and upon a demand of additional dowry by the parents of Accused No.1, they promised to purchase and present agricultural land within one or two years.

While respondent No.2/de-facto complainant was four months pregnant, accused No.1 assaulted her by fisting on her abdomen, resulting in a miscarriage. Thereafter, respondent No.2/de-facto complainant stayed with her parents for recovery of health. When respondent No.2/de-facto complainant asked accused No.1 to take back, he allegedly refused to take her back to lead matrimonial life, unless the promised land was provided. It is also alleged that Accused No.1 obtained an *ex parte* divorce decree by filing a divorce petition on false and frivolous allegations and by furnishing an incorrect address for service of notice.

Basing on her report, a case in crime No.11 of 2019 of Machavaram police station was registered for the offences punishable under Sections 498-A of IPC and 3 and 4 of the

Dowry Prohibition Act and after completion of investigation, the police filed charge sheet, which was taken on file as C.C.No.8086 of 2019 on the file of the learned IV Additional Chief Metropolitan Magistrate, Vijayawada.

4. Learned counsel for the petitioners/Accused Nos.1 to 3 submits that the petitioners/Accused Nos.1 to 3 are innocent of the offences much less the alleged offences initiated against them and they were falsely implicated in the present crime. He further submits that even if the entire allegations in the charge sheet and the documents annexed therewith, are taken as true and correct, the same does not disclose *prima facie* case against the petitioners/Accused Nos.1 to 3 and there is no material to show that they are connected with the case.

5. Learned Assistant Public Prosecutor submits that in pursuance to the filing of the Criminal petition, trial has commenced in the subject C.C., and in that view of the matter, this is not a fit case to quash the proceedings and hence, prayed to dismiss the Criminal Petition.

6. Considering the submissions of the learned counsel for the parties and having regard to the facts and circumstances of the

case, and in view of the fact that the trial has already commenced in the subject C.C., without going into merits of the case, this Court is of the view that it is not a fit case to quash the proceedings, and it would suffice to direct the petitioners to raise all the grounds as raised herein before the trial Court.

7. Accordingly, the Criminal Petition is disposed of, granting liberty to the petitioners/accused Nos.1 to 3 to raise and agitate all permissible grounds before the trial Court during the course of trial.

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

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