



**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 Nos.2684 of 2019, 2751 of 2019, 4352 of 2020 and
4672 of 2020**

CRIMINAL PETITION NO: 2684/2019

Between:

1.K BHASKAR RAJU, , S/O. SUBBA RAJU, HINDU, AGED ABOUT 42 YEARS, 79, MARQUANDS ROAD, TRUGANINA-3029, MELBOURNE, VICTORIA STATE, AUSTRALIA.

...PETITIONER/ACCUSED

AND

1.K SOWJANYA, W/O. BHASKAR RAJU, HINDU, AGED ABOUT 36 YEARS, R/O. H.NO.302, D-BLOCK, VASANTHA NAGAR COLONY, PORANKI VILLAGE, VIJAYAWADA RURAL MANDAL, KRISHNA DISTRICT.

2.THE STATE OF A P, REP. BY ITS PUBLIC PROSECUTOR, HIGH COURT BUILDINGS, AMARAVATHI.

...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 in C.C.NO. 493/2019 on the file of the Court of the II Additional Chief Metropolitan Magistrate, Vijayawada as against petitioner

IA NO: 1 OF 2019

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 all further proceedings including appearance of the petitioner in C.C.NO. 493/2019 on the file of the Court of the II Additional Chief Metropolitan Magistrate, Vijayawada, pending the Criminal Petition

Counsel for the Petitioner/accused:

1. RAJA REDDY KONETI

Counsel for the Respondent/complainant(S):

1. D PURNACHANDRA REDDY
2. PUBLIC PROSECUTOR (AP)

APHC010130782019



**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: 2751/2019

Between:

1.K.HARI KUMARI, D NO 5-65, METRO WATER WORKS ROAD,
SRUKA PARK PRIDE, HYDERNAGAR, NEAR CALVARY TEMPLE,
HYD

...PETITIONER/ACCUSED

AND

1.K SOWJANYA, H NO 302, D BLOCK VASANTHA NAGAR COLONY,
PORANKI VILLAGE, VIJAYAWADA RURAL MANDAL, KRISHNA DIST

2.THE STATE OF ANDHRA PRADESH, REP., BY ITS PUBLIC
PROSECUTOR, HIGH COURT OF ANDHRA PRADESH AT
AMARAVATHI

...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 stay all further proceedings including appearances of the petitioners in CC No 493/2019 on the file of the court of II Addl. Chief Metropolitan Magistrate, Vijayawada, pending the criminal petitioner

IA NO: 1 OF 2019

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 Pleased to dispense with the filing of the charge sheet in CC No 493/2019 on the file of the court of the II Addl Chief Metropolitan Magistrate, Vijayawada

IA NO: 2 OF 2019

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 Pleased to stay all further proceedings including appearances of the petitioners in CC No 493/2019 on the file of the court of II Addl. Chief Metropolitan Magistrate, Vijayawada, pending the criminal petitioner

Counsel for the Petitioner/accused:

1.RAJA REDDY KONETI

Counsel for the Respondent/complainant(S):

1.D PURNACHANDRA REDDY

APHC010277242020



**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: 4352/2020

Between:

1.KUSAMPUDI BHASKAR RAJU,, S/O. LATE SUBBA RAJU, HINDU,
AGED ABOUT 42 YEARS, C/O. 79, MARQUANDS ROAD,
TRUGANLNA-3029, VICTORIYA STATE, AUSTRALIA.

...PETITIONER/ACCUSED

AND

1.KUSAMPUDI SOWJANYA, , W/O. BHASKAR RAJU, HINDU, AGED
ABOUT 36 YEARS, R/O. H.NO.302, D-BLOCK, VASANTHA NAGAR
COLONY, PORANKI VILLAGE, VIJAYAWADA RURAL MANDAL,
KRISHNA DISTRICT.

2.THE STATE OF A P, REP. BY ITS PUBLIC PROSECUTOR, HIGH
COURT BUILDINGS, AMARAVATHI.

...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 proceedings in
DVC.NO. 80/2019 on the file of the Court of the I Additional Chief Metropolitan
Magistrate, Vijayawada as against petitioner and pass

IA NO: 1 OF 2020

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 filing of the certified copy of the Complaint in DVC.NO. 80/2019 on the file of the Court of the I Additional Chief Metropolitan Magistrate, Vijayawada and pass

IA NO: 2 OF 2020

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 all further proceedings including appearance of the petitioner in DVC.NO. 80/2019 on the file of the Court of the I Additional Chief Metropolitan Magistrate, Vijayawada, pending the Criminal Petition before this Hon'ble Court in the interest of justice.

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 extend the interim stay granted in Crl.P.No.4352 of 2020, dated 09-10-2020 until further orders and pass such

Counsel for the Petitioner/accused:

1.RAJA REDDY KONETI

Counsel for the Respondent/complainant(S):

1.D PURNACHANDRA REDDY

2.PUBLIC PROSECUTOR (AP)

APHC010292392020



**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: 4672/2020

Between:

1.KUSAMPUDI HARI KUMARI, KUSAMPUDL HAD KUMARL, W/O. LATE SUBBARAJU, HINDU, AGED ABOUT 67 YEARS, R/O. 5-65, METRO WATER WORKS ROAD, SRUKA PARK, HYDERNAGAR, NEAR CALVARY TEMPLE, HYDERABAD..

...PETITIONER/ACCUSED

AND

1.KUSAMPUDI SOWJANYA, W/O. BHASKAR RAJU, HINDU, AGED ABOUT 36 YEARS, R/O. H.NO.302, D-BLOCK, VASANTHA NAGAR COLONY, PORANKI VILLAGE, VIJAYAWADA RURAL MANDAL, KRISHNA DISTRICT.

2.THE STATE OF A P, REP. BY ITS PUBLIC PROSECUTOR, HIGH COURT BUWINGS, AMARAVATHI.

...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 proceedings in DVC.NO. 80/2019 on the file of the Court of the I Additional Chief Metropolitan Magistrate, Vijayawada as against petitioner and pass

IA NO: 1 OF 2020

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

IA NO: 2 OF 2020

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

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 extend the interim stay granted in Crl.P.No.4672 of 2020, dated 21-10-2020 until further orders and pass

Counsel for the Petitioner/accused:

- 1.RAJA REDDY KONETI

Counsel for the Respondent/complainant(S):

- 1.D PURNACHANDRA REDDY
- 2.PUBLIC PROSECUTOR (AP)

THE HON'BLE SRI JUSTICE K.SREENIVASA REDDY

**Criminal Petition Nos.2684 of 2019, 2751 of 2019, 4352 of 2020 and
4672 of 2020**

COMMON ORDER:

Since all the Criminal Petitions are connected, at the request of the both the counsel, they are being disposed of, by this common order.

2. Petitioner in Criminal Petition No.2684 of 2019 is A.1, and the petitioner in Criminal Petition No.2751 of 2019 is A.2, in C.C No.493 of 2019 on the file of the learned II Additional Chief Metropolitan Magistrate, Vijayawada, registered for the offences punishable under Sections 498A, 406 and 420 IPC and Section 4 of the Dowry Prohibition Act, 1961. They filed the respective Criminal Petitions, under Section 482 CrPC, seeking to quash the proceedings in the said C.C. against them.

3. The allegations, in brief, in the charge sheet are as follows.

Marriage of 1st respondent/de-facto complainant with accused No.1 was solemnized on 01.03.2002 at Hyderabad as per Hindu rites. At the time of marriage, her parents gave Rs.20,00,000/- as dowry, Rs.2,00,000/- as sister-in-law dowry, and 80 grams of gold. Prior to the marriage, accused No.1 misrepresented that he was employed in a high-profile job in Australia. After marriage, he took 1st respondent/defacto complainant to Australia for conjugal life, where it was found after some time that he had no such job and was engaged in petty business. They were blessed with two children.

A.2 is mother of A.1. It is alleged that subsequently, accused Nos.1 and 2 subjected her to mental and physical harassment, demanding Rs.10,00,000/- for business purposes, and the said amount was provided by parents of 1st respondent/defacto complainant in the year 2013. On 28.11.2018, accused No.1 sent her and her children to India on the pretext that accused No.2 wished to see them, however, upon arrival, accused No.2 refused and sent them to the defacto complainant's parental home, stating that Accused No.1 instructed her to do so. Later, in 2017, accused No.1 came to India and had set up a separate residence with the defacto complainant in Vijayawada and returned to Australia on the premise of settling the matters there at the earliest. He later demanded Rs.50,00,000/- for starting a hotel business in Hyderabad, threatened to marry another woman by giving divorce to the defacto complainant if the demanded amount is not provided. When this was informed to accused No.2, she did not respond positively. Finally, on 17.07.2018, accused No.1 issued a divorce notice to the defacto complainant from Australia. Hence, the report.

4. Petitioner in Criminal Petition No.4352 of 2020 is respondent No.1, and the petitioner in Criminal Petition No.4672 of 2020 is respondent No.2, in D.V.C.No.80 of 2019 on the file of the I Additional Chief Metropolitan Magistrate, Vijayawada. They filed the respective Criminal Petitions, seeking to quash the said proceedings in the D.V.C. against them. 1st respondent preferred the said D.V.C. against the petitioners under Section 12 of the

Protection of Women from Domestic Violence Act, 2005, seeking various reliefs under the said Act viz. provision of permanent residence/house to the complainant and her children, monthly maintenance of Rs.1,00,000/- each, payment of educational expenses for children, return of Rs.20,00,000/- given at the time of marriage as dowry, return of Rs.10,00,000/- paid in December, 2013 and compensation of Rs.25,00,000/- for subjecting her to mental and physical cruelty and to initiate appropriate legal action against the accused persons.

5. Learned counsel appearing on behalf of the petitioners submits that respondent No.1 is not interested in pursuing the matter any more. According to him, accused No.1 and respondent No.1 obtained divorce in the Court at Australia and accused No.1 is paying the monthly expenditure required for residence and maintenance of respondent No.1 and her children. He further submitted that petitioner/A.1, being permanent citizen of Australia, no relief can be granted under the provisions of the DVC Act, 2005.

6. On the other hand, learned counsel appearing on behalf of respondent No.1 submits that a Memo has been filed by respondent No.1 stating that she has no objection, if the complaints that have been filed by her, are quashed. Learned counsel for respondent No.1 further submits that respondent No.1 does not want to oppose the prayers sought by the petitioners herein.

7. Heard learned counsel for the petitioners and learned counsel for respondent No.1.

8. It appears that respondent No.1 herein is not interested in pursuing the matter. To that extent, she filed a Memo dated 29.04.2026 stating that she has no objection, if proceedings against the petitioners, are quashed. Learned counsel for respondent No.1 did not oppose the contention of the learned counsel for the petitioners that accused No.1 and respondent No.1 obtained divorce in the Court at Australia and accused No.1 is paying the monthly expenditure required for residence and maintenance of respondent No.1 and her children. In the aforesaid facts and circumstances of the case, particularly when accused No.1 and respondent No.1 obtained divorce, continuation of the impugned proceedings against the petitioners is nothing but abuse of process of Court.

9. Accordingly, these Criminal Petitions are allowed. Proceedings in C.C No.493 of 2019 on the file of the learned II Additional Chief Metropolitan Magistrate, Vijayawada and in D.V.C.No.80 of 2019 on the file of the I Additional Chief Metropolitan Magistrate, Vijayawada, are quashed.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE K SREENIVASA REDDY

Date:04.05.2026
Ksj/DRK