



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

[3396]

THURSDAY, THE TWENTY THIRD DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL REVISION CASE NO: 882/2021

Between:

1.KONDA RANGA RAO, S/O NAGESWARA RAO, HINDU, AGED ABOUT 49 YEARS, A-CLERK IN AJFCM COURT, MARKAPUR, RESIDENT OF RAVURU ROAD, DESAIPEDA POST, VETAPALEM MANDAL, PRAKASAM DISTRICT.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC PROSECUTOR, HIGH COURT OF ANDHRA PRADESH AT VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT THROUGH THE STATION HOUSE OFFICER, KANDUKUR PS.,
2.VEERASTU SANTHI, W/O BALAJI, OCC. VILLAGE SERVANT, 20TH WARD, KALIDASUVARI STREET, KANDUKUR, PRAKASAM DISTRICT, ANDHRA PRADESH.

...RESPONDENT(S):

Revision filed under Section 397/401 of CrPC praying that in the circumstances stated in the affidavit filed in support of the Criminal Revision Case, the High Court may be pleased to Memorandum of Criminal Revision Case against the order dated 23.11.2021 passed in CrI.M.P.No.1361/2021 in CC.No. 282/2014 on the file of the Additional Judicial Magistrate of I Class, Kandukur.

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased To discharge the petitioner/A6 as an accused, A6 from the Crime No. 37/2013 of the P.S. Kandukur (T) on the file of the Additional Judicial Magistrate of First Class, Kandukur, pending disposal of the Crime No. 37/2013 of P.S., Kandukur (T) on the file of the Additional Judicial Magistrate of First Class, Kandukur. Memorandum of Criminal Revision Case against the order dated 23.11.2021 passed in CrI.M.P.No.1361/2021 in CC. No. 282/2014 on the file of the Additional Judicial Magistrate of I Class, Kandukur.

Counsel for the Petitioner:

- 1.JADA SRAVAN KUMAR

Counsel for the Respondent(S):

- 1.PUBLIC PROSECUTOR (AP)

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL REVISION CASE NO: 882/2021****JUDGMENT:**

This Criminal Revision Case has been filed by the petitioner against the order dated 23.11.2021 passed in CrI.M.P.No.1361 of 2021 in CC.No.282 of 2014 on the file of the learned Additional Judicial Magistrate of First Class, Kandukur.

2. Heard Mr. Jada Sravan Kumar, learned counsel for the petitioner and Mrs.K.Priyanka Lakshmi, learned Assistant Public Prosecutor representing on behalf of the State.

3. The brief facts of the case are that, the 2nd respondent/de facto complainant lodged a complaint on 09.03.2013 before the 1st respondent-police alleging that Accused Nos. 1 to 8 demanded additional dowry of Rs. 5,00,000/- and subjected her to physical and mental harassment, thereby attracting offences under Sections 498-A and 506 of the IPC and Sections 3 and 4 of the Dowry Prohibition Act. Based on the said complaint, a case was registered in Crime No. 37 of 2013 and subsequently taken on file as C.C. No. 282 of 2014, in which the present petitioner is arrayed as Accused No. 6, who filed a petition for discharge in CrI.M.P. No. 1361 of 2021, but the same was dismissed by the learned Trial Judge, and aggrieved by such dismissal, the present Criminal Revision has been preferred.

4. Learned counsel for the petitioner would submit that the petitioner has no connection whatsoever with the alleged offence and has been falsely implicated without any basis. He is a Court employee working as an A-Clerk and is only a distant relative of Accused No.1, being his maternal uncle. The petitioner neither demanded any additional dowry from the de facto complainant nor had any interaction with her or her family. It is further submitted that, upon completion of investigation, the police did not find any prima facie material against Accused Nos. 2 to 8 and accordingly filed the charge sheet deleting their names. However, upon issuance of notice to the de facto complainant, she appeared and filed a protest petition, pursuant to which the deleted accused were added back as accused. The only allegation against the petitioner is that he instigated Accused No.1 to demand additional dowry, which is baseless and unsupported by any material on record. Learned counsel finally prays to set aside the order of the learned Trial Judge and discharge the petitioner from the case.

5. Learned Assistant Public Prosecutor submits that the order passed by the learned Trial Judge is well-reasoned and does not warrant any interference. She would further submit that, upon filing of the protest petition by the de facto complainant, the learned Judge recorded her statement and, based on the same, directed the police to conduct further investigation, pursuant to which the accused were added back into the case. It is also contended that there are specific allegations against the petitioner, particularly that he instigated Accused No.1 to demand additional dowry, and therefore, a

prima facie case exists against him. She finally prays for dismissal of the revision.

6. Considering the submissions made and upon perusal of the material on record, the learned Trial Judge has, on a careful consideration of material before him, concluded that there are sufficient grounds to proceed against the petitioner. Though the petitioner contends that he is a distant relative and has been falsely implicated, the record discloses specific allegations that he instigated Accused No.1 to demand additional dowry. It is also observed by the learned Trial Judge that the petitioner's contention that he never visited the house of the de facto complainant is not sufficient at this stage to exonerate him, as instigation through telephonic or other indirect means cannot be ruled out and, if proved, would still constitute instigation in law. At the stage of discharge, only a *prima facie* case is required to be seen and a detailed appreciation of evidence is not warranted. In the present case, sufficient material exists to proceed against the petitioner. In that view of the matter, the order of the learned Trial Judge is well-reasoned and does not suffer from any illegality or perversity warranting interference by this Court.

7. Accordingly, the Criminal Revision Case is dismissed. However, the presence of the petitioner before the Trial Court is dispensed with unless his presence is specifically directed. Since the CC is of the year 2014, learned Trial Judge is directed to dispose of the case as expeditiously as possible without granting adjournment in a casual way by mere asking. Learned Trial

Judge is also directed to report the progress of the case to the Registry by 01.07.2026.

Consequently, miscellaneous applications pending, if any, shall stand closed.

DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 23.04.2026.

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135

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL REVISION CASE NO: 882/2021

Dt.23.04.2026

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