

**IN THE HIGH COURT OF JUDICATURE AT
HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE
OF
ANDHRA PRADESH**

CRIMINAL PETITION No.6612 of 2015

Between:

Syed Sohail Ahmed and another

... Petitioners

and

The State of Telangana rep. by its Public Prosecutor &
another

... Respondents

DATE OF JUDGEMENT PRONOUNCED: 27-07-2015

SUBMITTED FOR APPROVAL:

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

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|--|--------|
| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals? | Yes/No |
| 3. Whether Their Ladyship/Lordship wish to
see the fair copy of the Judgment? | Yes/No |

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO
CRIMINAL PETITION No.6612 of 2015

ORDER :

This Criminal Petition is filed by the Petitioners/Accused Nos.1 and 2 under Section 482 Cr.P.C to quash the proceedings in S.C. No.589 of 2014 on the file of VIII Additional Sessions Judge, Ranga Reddy District at L.B.Nagar, which is the outcome of Crime No.472 of 2013 of Mailaredevpally Police Station, Cyberabad registered for the offence punishable under Section 307 I.P.C.

2) Heard the learned counsel for the petitioners and the 1st respondent-State represented by the Public Prosecutor, before admission, before issuing notice to the 2nd respondent and perused the material on record.

3) Considering the material that the learned Sessions Judge taken cognizance under Section 193 Cr.P.C from the committal proceedings of the Magistrate under Section 209 Cr.P.C, the facts fall short for this Court even to admit the application for quashing the above mentioned proceedings, this petition is disposed of, from request, remedy is left open to file a discharge petition under Section 227 Cr.P.C and in such an event, the learned Sessions Judge shall be decided from the prosecution material only as laid down by the Apex Court in ***State of Orissa V. Debendranath***

Padhi^[1]. Needless to say the accused can file an application under Rule 37 of Criminal Rules of Practice and in such an event, the learned Sessions Judge shall consider and permit one of the accused to represent other accused with necessary conditions.

4) With the above observations, this criminal petition is

disposed of. Consequently, miscellaneous petitions pending, if any, in this criminal petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

27.07.2015
ksh

[\[1\]](#) (2005)1 SCC 568