

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

CRIMINAL PETITION No.5303 OF 2015

Between:

Kaluvala Sudhakar

... Petitioner

and

The State of Telangana, rep., by Public Prosecutor and
another

... Respondents

DATE OF JUDGEMENT PRONOUNCED: 23-07-2015

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.5303 of 2015

ORDER :

This Criminal Petition is filed by the Petitioner/Accused under Section 482 Cr.P.C seeking to quash the proceedings in C.C. No.114 of 2015 on the file of the Additional Judicial Magistrate of the First Class, Huzurabad which is outcome of Crime No.5/2015 of Saidapur Police Station, Karimnagar District registered for the offence punishable under Sections 354(D) and 506 I.P.C.

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

3) The material falls short for this Court to admit the application for quashing the proceedings supra under Section 482 Cr.P.C, but for the factual matrix entitles as the petitioner is a graduate in engineering and is working as software engineer in Malaysia says that he has to go to attend his job, the case is coming in the way and he is unable to attend day to day trial physically, thereby to permit to represent through special vakalat holder under Section 205 Cr.P.C.

Having regard to the above, the application is disposed of giving liberty to the petitioner to file an application under Section 239 Cr.P.C if there are no grounds to frame charge under Section 240 Cr.P.C and the learned Magistrate shall dispose of on merits after hearing the same . The petitioner is at liberty to file an application under Section 205 Cr.P.C. to represent through special vakalat holder and in such an event the learned Magistrate, after hearing, shall consider and permit him to represent through special vakalat holder including to answer for any charges in the event of framing charges under Section 240 Cr.P.C but for attendance for giving any evidence or Section 313 Cr.P.C examination.

5) With the above observations, this criminal petition is disposed of. As a sequel, miscellaneous petitions pending, if any, in this criminal petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

23.07.2015

ksh