

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

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Crl.P. No.6323 of 2015

Between:

Gadde Padma Sirisha

.. Petitioner/ accused No.1

And

State of A.P., through its Public Prosecutor,
High Court at Hyderabad & another

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 20-07-2015

SUBMITTED FOR APPROVAL:

**HONOURABLE Dr. JUSTICE B.SIVA SANKARA
RAO**

1. Whether Reporters of Local newspapers

Yes/No

may be allowed to see the Judgment?

2. Whether the copies of judgment may be
marked to Law Reporters/Journals

Yes/No

3. Whether Their Lordship wish to
see the fair copy of the Judgment?

Yes/No

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.6323 of 2015

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ORDER :

This Criminal Petition is filed by the Petitioner/

Accused No.1 under Section 482 Cr.P.C seeking to quash the proceedings in C.C No.285 of 2014 on the file of VII Additional Judicial First Class Magistrate at Rajahmundry, East Godavari District, where the learned Magistrate taken cognizance for the offence under Section 326 IPC.

2) Heard learned counsel for the petitioner/ accused No.1 and learned public prosecutor representing the 1st respondent—state before admission and before ordering any notice to the 2nd respondent—de facto complainant. Perused the material on record.

3) As the material falls short to admit the application filed under Section 482 Cr.P.C, the same is disposed of giving liberty to petitioner to file an application under Section 239 Cr.P.C before the learned Magistrate and the learned Magistrate shall hear and consider only from the Prosecution material vide ***State of Orissa vs. Debendra Nath Padhi***^[1]. Needless to say further remedy is left open in the event of framing of charges under Section 240 Cr.P.C. Needless to say in the event of framing of any charges if already, the petitioner is given liberty to file an application under Section 216 Cr.P.C for altering or modification of any charges and further remedy is left open to petitioner to file an application to represent her through special vakalath holder under Section 205 Cr.P.C, the learned Magistrate shall hear and permit with necessary conditions

4) Miscellaneous petitions, if any pending, shall
stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.20.07.2015
Knl

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

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CRIMINAL PETITION No.6323 of 2015

Date:20.07.2015

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[\[1\]](#) AIR 2005 SC 359