

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

FRIDAY, THE NINTH DAY OF OCTOBER
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.9378 of 2015

Between:

Jonnalagadda Prameela

..... PETITIONER/A2

AND

The State of Telangana,

Rep.by its Public Prosecutor,

High Court at Hyderabad and another

.....RESPONDENTS

The Court made the following:

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.9378 of 2015

ORDER:

This criminal petition is filed under Section 482 Cr.P.C to quash the proceedings in S.T.C.No.455/2012 on the file of the learned Judicial Magistrate of First Class, Miryalaguda, registered for the offences punishable under sections 323 and 504 IPC.

Heard the learned counsel for the petitioner/A2 and the learned Additional Public Prosecutor, representing the State.

The 2nd respondent the *de facto* complainant. It is alleged that on 10.06.2012 the petitioner/A2 along with non-petitioners/A1 & A3 beat her in a property dispute.

The contention of the learned counsel for the petitioner/A2 is that A2 is aged about 65 years and suffering from old-age ailments and she has not committed any offence as alleged. There is *prima facie* material to proceed against the petitioner/A2. It is brought to the notice that the non-petitioner/A3 is absconding and it may take long time to dispose of the matter.

I feel that it is not a fit case where the proceedings can be quashed and hence it is liable to be dismissed.

The Criminal Petition is accordingly dismissed. However, considering the age factor of the petitioner/A2, the Court below is directed not to insist for the presence of the petitioner/A2 for each and every adjournment, unless it feels that her physical presence is necessary for any specific purpose and dispose of the case, as expeditiously as possible, by splitting up the case against the absconding accused, if he has not turn up.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 09.10.2015

Dsr