

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

**CRIMINAL PETITION No.17343 of 2016**

**ORDER:**

This Criminal Petition, under Section 482 of Code of Criminal Procedure, 1973 (for short 'Cr.P.C.'), is filed questioning the action of the respondent in obtaining summons from XXV Metropolitan Magistrate, Miyapur, Hyderabad, in connection with Crime No.294 of 2016 on the file of Madhapur Police Station, Cyberabad, on various grounds.

During hearing, Sri C. Ramachandra Raju, learned counsel for petitioner contended that she executed a gift deed in favour of her daughter—Alluri Mukunda Priya, who in turn sold the same to the wife of the complainant, but she has been summoned to the Court without assigning any reason. He further contended that as the petitioner is unable to move out from her house because of ill-health, direct the police concerned to examine the petitioner at her residence at the address given by her.

Learned Public Prosecutor for the State of Telangana reported no objection to examine her during investigation and record her statement under Section 161(3) Cr.P.C. at her residence, subject to her health condition to give statement before Police, for completion of investigation.

In view of the concession given by the learned Public Prosecutor, the investigating agency is permitted to record her statement under Section 161(3) Cr.P.C. on condition of extend cooperation for

completion of investigation by the police in Cr.No.294 of 2016 on the file of Madhapur Police Station, Cyberabad.

With the above direction, this Criminal Petition is disposed off directing the Magistrate to withdraw the summons while permitting the Police of Madhapur Police Station, Cyberabad, to record her evidence under Section 161(3) Cr.P.C., at her residence given in her address.

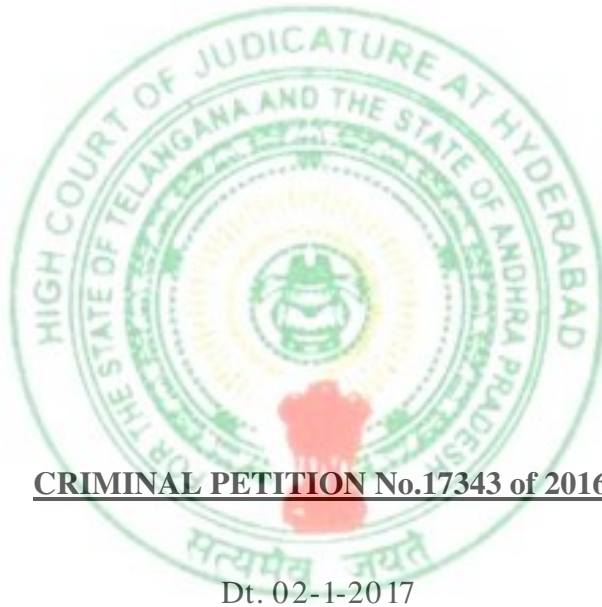
Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand dismissed.

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M. Satyanarayana Murthy, J

2<sup>nd</sup> January, 2017  
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Dt. 02-1-2017

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