**IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD**

TUESDAY, THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY

**PRESENT**

**THE HONOURABLE SRI JUSTICE T. VINOD KUMAR**

**CRIMINAL PETITION NO: 5308 OF 2020**

**Between:**

1. Smt Bokka Laxmi, W/o. B. Prabhakar Reddy, Aged about 50 years, Occ. Housewife, R/o. Plot No. 48, Sri Sai Nagar Colony, Thrukayamjal Village, Abullapurmet Mandal, Ranga Reddy District.
2. Bokka Prabhakar Reddy, S/o. B. Ramachandra Reddy, Aged about 55 years, R/o. Plot No. 48, Sri Sai Nagar Colony, Thrukayamjal Village, Abullapurmet Mandal, Ranga Reddy District.
3. Smt Sreevidya, W/o. K. Govinda Reddy, Aged about 32 years, R/o. H. No. 10-112/A, Vinayaka Nagal, Balapoor, Hyderabad.
4. Kambalapally Govinda Reddy, S/o. Sreeram Reddy, Aged about 35 years, Occ. Agriculture, R/o. H. No. 10-112/A, Vinayaka Nagal, Balapoor, Hyderabad.
5. Pushpamma, W/o. late K. Krishna Reddy, Aged about 45 years, Occ. Household, R/o. H. No. 8-7-95/6/2, Plot No. 322, P.R. Teachers Colony, near B.D. Reddy Gardens, Vanasthalipuram, Saroornagar, Ranga Reddy District.
6. Srija Reddy, D/o. late K. Krishna Reddy, Aged about 22 years, Occ. B.Tech Student, R/o. H. No. 8-7-95/6/2, Plot No. 322, P.R. Teachers Colony, near B.D. Reddy Gardens, Vanasthalipuram, Saroornagar, Ranga Reddy District.
7. Tejasree, D/o. late K. Krishna Reddy, Aged about 22 years, Occ. B.Tech Student, R/o. H. No. 8-7-95/6/2, Plot No. 322, P.R. Teachers Colony, near B.D. Reddy Gardens, Vanasthalipuram, Saroornagar, Ranga Reddy District.
8. Raji Reddy, S/o. late Venkat Reddy, Aged about 40 years, R/o. Thurkayamjal Village, Abdullapurmet Mandal, Ranga Reddy District.

**...Petitioners/Accused Nos. 2 to 9**

**AND**

1. The State of Telangana, Through Women Police, Police Station , Mahabubnagar, represented by Public Prosecutor, High Court, Telangana State, Hyderabad.

**...Repondent/Respondent**

2. Smt Pothula Keerthi, W/o. Bokka Srikanth Reddy, Aged about 30 years, R/o. H. No. 10-15, Vijayanagar Colony, Mahabubnagar Town and District.

**...Respondent/Defacto Complainant**

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash the proceedings in C.C No. 32 of 2020 dated 24-08-2020 on the file of Judicial Magistrate First Class, at Mahabubnagar, against the Petitioners/Accused Nos. 2 to 9.

**I.A. NO: 1 OF 2020**

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to grant stay of all further proceedings in C.C No. 32 of 2020 dated 24- 08-2020 on the file of Judicial Magistrate First Class, at Mahabubnagar including the appearance of the Accused pending the disposal of the present Crl. Petition in the interest of the justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Lokirev Preetham Reddy, Advocate for the Petitioners and the Additional Public Prosecutor on behalf of the Respondent No.1 and of the Respondent No.2 not appearing in person or by Advocate.

**The Court made the following: ORDER**

THE HON'BLE SRI JUSTICE T. VINOD KUMAR

**Criminal Petition No.5308 of 2020**

ORDER

The present Criminal Petition is filed under Section 482 of Cr.P.C. seeking for quashing of proceedings in CC No.32 of 2020 on the file of the Judicial First Class Magistrate's Court, Mahaboobnagar, registered on the basis of Crime No.61 of 2019 of Women Police Station, Mahabubnagar for the offences punishable under Sections 498-A, 506, 504 IPC and Sections 3 & 4 of Dowry Prohibition Act, wherein the petitioners are arrayed as accused Nos.2 to 9.

2. Heard Sri Lokirev Preetham Reddy, learned counsel for the petitioners/A.2 to 9 and learned Additional Public Prosecutor appearing for the first respondent-State. Perused the material placed on record.

3. With the consent of the learned counsel appearing for the parties, the criminal petition is taken up for hearing through Video Conferencing in the virtual Court today, i.e., 08.12.2020.

4. The learned counsel for the petitioners would submit that though the present criminal petition is filed seeking for quashing of the proceedings in CC No.32 of 2020, however, he is restricting the relief sought for in the present petition to the limited extent of this court granting exemption to the petitioners/ A.2 to A.9 from appearance in the above CC before the concerned trial Court. The learned counsel for the petitioners would further submit that during the investigation stage, the petitioners enjoyed similar relief by virtue of the order of this Court in Criminal Petition No.1336 of 2020, dated 25.02.2020.

5. Opposing the above said submission, the learned Additional Public Prosecutor appearing on behalf of the first respondent-State would submit that the respondent police upon receiving the complaint caused investigation and also filed charge sheet wherein the allegations made against the petitioners have been conclusively brought out and therefore, they are required to be appear before the concerned Magistrate Court during the trial.

6. Having regard to the rival submissions made by the learned counsel for the parties, without going into the merits of the matter, this Court is of the view that instead of this Court either considering the grounds raised seeking for quashing of CC No.32 of 2020 or the grounds urged in support of the submission seeking exemption for appearance of the petitioners before the concerned trial Court, the petitioners can be directed to take steps seeking exemption for their appearance by making necessary applications before the concerned trial Court either in the form of a Special Vakalat or under Rule 37 of the Criminal Rules of Practice, as may be advised. Upon the petitioners/A.2 to A.9 making such applications, the trial Court shall consider the same on its own merit.

7. With the above observation, the Criminal Petition is disposed of. Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

**Sd/-K.AMMAJI**
**ASSISTANT REGISTRAR**

**//TRUE COPY//**

**SECTION OFFICER**

**To,**

1. The Judicial Magistrate of First Class, at Mahabubnagar.
2. The Station House Officer, Women Police, Police Station, Mahabubnagar.
3. Two CCs to the Additional Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri Lokirev Preetham Reddy, Advocate [OPUC]
5. Two CD Copies

MMK

HIGH COURT

TVKJ

DATED:08/12/2020




ORDER

CRLP.No.5308 of 2020

## DISPOSING OF THE CRIMINAL PETITION

(7) VLV 17/12/20