

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

**FRIDAY, THE TWENTY FIFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

CRIMINAL REVISION CASE NO: 135 OF 2022

Criminal Revision Case filed Under Sections 397 and 401 of Cr.P.C seeking to set aside the Order dated.07.01.2022 passed in Cri.MP No. 503 of 2021 in CC No.2018 of 2019 on the file of the Court of the XV Additional Chief Metropolitan Magistrate (Mahila Court), at Hyderabad. XIII Additional Chief Metropolitan Magistrate, at Hyderabad FAC XV Additional Chief Metropolitan Magistrate, at Hyderabad

Between:

Avula Bhargav Kishor Reddy, S/o. A. Sivarami Reddy, Aged about 43 years, Occ. Employee, R/o 1-542, Amineni Street, Madanapalle, Chittoor District (As per the Charge Sheet).

...Petitioner/A1

AND

1. The Station House Officer, Women Police Station, South Zone, Hyderabad, represented by Public Prosecutor, High Court, at Hyderabad.
2. Battu Vasantha, W/o. B Malreddy, Occ. Business, R/o. H.No.50/2, RT Bahadurpura, Housing Board Colony, Hyderabad.

...Respondents

IA NO: 1 OF 2022

Petition under Section 482 Cr.P.C praying that in the circumstances stated in the grounds filed in support of the Criminal Revision Case, the High Court may be pleased to direct to return the passport to the petitioner.

Counsel for the Petitioner: SRI G. ESWARIAH

Counsel for the Respondent No.1: THE PUBLIC PROSECUTOR (TG)

Counsel for the Respondent No.2: NONE APPEARED

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

CRIMINAL REVISION CASE No.135 of 2022

ORDER:

Heard learned counsel for the petitioner and learned Public Prosecutor. Perused the record.

2. Petitioner herein is A-1 in C.C.No.2018 of 2019 pending on the file of the XV Addl. Chief Metropolitan Magistrate (Mahila Court) at Hyderabad, XIII Addl. Chief Metropolitan Magistrate at Hyderabad FAC XV Addl. Chief Metropolitan Magistrate at Hyderabad. The offences alleged against the petitioner herein / A-1 are under Sections 498-A, 406 and 506 of IPC and Sections 4 and 6 of Dowry Prohibition Act.

3. The petitioner herein had filed an application under section 451 of Cr.P.C., vide Crl.M.P.No.503 of 2021 in C.C.No.2018 of 2019 seeking return of his passport on imposition of certain conditions. Vide order dated 07-01-2022, learned Magistrate has allowed the said

application partly and granted interim custody of passport on imposition of certain conditions including the condition that the petitioner has to appear on 24-01-2022 for his first appearance and recording his examination under section 239 of Cr.P.C.

4. Sri. G. Eashwaraiah, learned counsel for the petitioner would submit that the petitioner was present on 24-01-2022 for the purpose of said examination under Section 239 of Cr.P.C., but the learned Magistrate insisted the presence of other accused and did not examine the petitioner under Section 239 of Cr.P.C.

5. Learned counsel for the petitioner would submit that the petitioner /Accused No.1 has to leave U.K. for his employment next week or otherwise he is going to loose his job. According to him, C.C. is posted to 29-03-2022 and the petitioner is ready to comply with all the conditions imposed by the learned Magistrate in the impugned order

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on 07-01-2022. In view of the insistence of presence of other accused, the petitioner got stuck.

6. In view of the said specific submissions made by the learned counsel that the petitioner herein is ready to comply all other conditions, C.C. is posted to 29-03-2022 and that the petitioner has to leave for abroad next week, this Civil Revision Petition is disposed of, directing the learned XV Addl. Chief Metropolitan Magistrate (Mahila Court) at Hyderabad, XIII Addl. Chief Metropolitan Magistrate at Hyderabad FAC XV Addl. Chief Metropolitan Magistrate at Hyderabad, to pre-ponc the said proceedings in C.C.No.2018 of 2019 to 28-02-2022 for the purpose of examination of the petitioner / A-1 under Section 239 of Cr.P.C., in accordance with law. The other conditions imposed by the learned Magistrate in the impugned order remained un-altered. However, LOC, if any, issued against the petitioner/Accused No.1 in relation to the subject Crime No.128 of 2018 pending on the file of the Women

Police Station, Charminar, Hyderabad City or C.C.No.2018 of 2019 pending on the file of the XV Addl. Chief Metropolitan Magistrate (Mahila Court) at Hyderabad, XIII Addl. Chief Metropolitan Magistrate at Hyderabad FAC XV Addl. Chief Metropolitan Magistrate at Hyderabad, shall be kept in abeyance for the period of one year i.e., upto 23-01-2023. However the petitioner shall cooperate with the trial court in disposal of the said C.C.

Miscellaneous petitions, if any, pending in this criminal petition, shall stand closed.

//TRUE COPY//

SD/- K. SRINIVASA RAO
JOINT REGISTRAR

SD
SECTION OFFICER

To,

1. The XV Additional Chief Metropolitan Magistrate (Mahila Court), at Hyderabad, XIII Additional Chief Metropolitan Magistrate, at Hyderabad FAC XV Additional Chief Metropolitan Magistrate, at Hyderabad (With records if any).
2. The Station House Officer, Women Police Station, South Zone, Hyderabad.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to SRI G. ESWARAIAH, Advocate [OPUC]
5. Two CD Copies

MMK

Card

HIGH COURT

KLJ

DATED:25/02/2022

ORDER

CRLRC.No.135 of 2022



DISPOSING OF THE CRIMINAL REVISION CASE

Handwritten signature and date:
25/02/2022