

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

**TUESDAY, THE TWENTIETH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 2942 OF 2015

Between:

1. GANJI RAMULU, S/o. Bheemaiah, aged about 43 years, Occu: Business,
2. DASTAMMA, W/o. Ganji Ramulu, aged about 40 years, Occu: Housewife,
(Both are R/o. Yashoda Nagar, Tandur, Ranga Reddy District.)

...PETITIONERS/ACCUSED Nos.1 and 2

AND

1. State Of Telangana, through P.S Tandur, rep. by its Public Prosecutor.
2. V. Etya Naik, S/o Valya Naik, aged 40 years, Occ: Business, R/o H.No 2-1
39/2B, Bhavani Nagar, Tandur, Ranga Reddy District.

...RESPONDENT/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 SC No.12/2015 On the file of the Sessions Court for Trial of SC/ST cases, RR. District, at LB.Nagar under section U/ Sec. 3(1)(x) of Prevention of Atrocities against SC & ST Act, against the petitioner/Accused no.1 and 2.

I.A. NO: 1 OF 2015(CRLPMP. NO: 3127 OF 2015)

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 stay of all further proceedings including the appearance of the petitioners/Accused No.1 and 2 in SC No.12/2015 on the file of the Sessions Court for Trial of SC/ST cases, RR District, At LB Nagar under section U/Sec. 3(1)(x) of Prevention of Atrocities against SC & ST Act, and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

I.A. NO: 1 OF 2022

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 extend the stay order which was granted in Crl.P.No. 2942 of 2015, Dt 20-4-2015 and subsequently it was extended from time to time, in the interest of justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri N MALATHI NAIDU, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No. 1 and of the Respondent No. 2 not appearing in person or through his counsel.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.2942 OF 2015****ORDER:**

This Criminal Petition is filed by the petitioners/Accused Nos.1 and 2 under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') seeking to quash the proceedings in SC No.12 of 2015 pending on the file of Sessions Court for Trial of SC/ST Cases, Ranga Reddy District at L.B.Nagar. The petitioners herein are arrayed as Accused Nos.1 and 2 in the said crime. The offences alleged against them are under Section 3(1)(x) of Prevention of Atrocities against SC/ST Act.

2. Heard. Perused the record.
3. The case against the petitioners is that they have abused the *de facto* complainant in the name of caste when he intervened, the fight which ensued between the petitioners and one Bojampally Srinivas.
4. Learned counsel for the petitioners submits that firstly the offence under Section 3(1)(x) of Prevention of Atrocities against SC/ST Act is not attracted for the reason of the incident not taking

place in public view and secondly there is no intention on the part of the petitioner in abusing the *de facto* complainant.

5. In view of the aforesaid submissions, the intention can be decided only during the course of trial, for which reason this Court refrains from discussing the fact whether it was the public view or the accused had an intention. However, the attendance of these petitioners is dispensed with during the course of trial only when they are represented by their counsel, unless required for answering the charges under Section 313 Cr.P.C. and also on the date of pronouncement of judgment. Further, the petitioners shall not dispute their identity and also proceedings before the trial Court.

6. Accordingly, the Criminal Petition is disposed off.

Miscellaneous Petitions, pending if any, shall stand closed.

//TRUE COPY//

Sd/- B. SATYAVATHI
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The Judge Sessions Court for Trial of SC/ST cases, RR District, at LB,Nagar.
2. The Station House Officer, Tandur, Ranga Reddy.
3. One CC to Sri N. MALATHI NAIDU, Advocate [OPUC]
4. Two CCs. The Public Prosecutor, High Court for the State of Telangana at Hyderabad.
5. Two CD Copies

VH

Prm.

HIGH COURT

KSJ

DATED:20/09/2022



ORDER

CRLP.No.2942 of 2015

DISPOSING OF CRIMINAL PETITION

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PMG
7/12/22