

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

THURSDAY, THE FOURTEENTH DAY OF JULY
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE DR. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION NO: 6156 OF 2022

Between:

1. Smt.Nusrath Fathima, W/o. Late Shafiuddin, Aged about 43 Years, Occ.Household, R/o. H-No.2-21-143/1, Chilukanagar, Uppal, Medchal-Malkajgiri District. (A3)
2. Md. Fareeduddin, S/o. Late Shafiuddin, Aged about 26 Years, Occ. Driver, R/o.H-No 2-21-143/1, Chilukanagar, Uppal, Medchal-Malkajgiri District. (A5)
3. Md. Sayeeduddin, S/o. Late Shafiuddin, Aged about 24 Years, Occ. Driver, R/o.H-No.2-21-143/1, Chilukanagar, Uppal. Medchal-Malkajgiri District.

...Petitioners/Accused No.3, 5 and 6

AND

1. The State of Telangana, represented by Its Public Prosecutor, High Court of Judicature, at Hyderabad, Through Nacharam Police Station, Rachakonda Commissionerate, Hyderabad. Telangana.
2. Smt. Shaheen, W/o. Md. Aleemuddin, Aged about 24 Years, Occ. Housewife, R/o. H-N0.4-634/2, Baba Nagar, Nacharam, Uppal, Medchal District

...Respondents/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 call for the records and quash the proceedings against the Petitioners/Accused Nos. 3, 5 and 6 in C.C.No.3277 of 2019 on the file of IV Additional Metropolitan Magistrate- IV Additional Junior Civil Judge, at L.B. Nagar, Ranga Reddy District.

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 stay of all further proceedings against the Petitioners/Accused Nos.3, 5 and 6 in C.C.No.3277 of 2019 on the file of IV Additional Metropolitan Magistrate- IV Additional Junior Civil Judge, at L. B. Nagar, Ranga Reddy, pending disposal of the above Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Kongala Mohan Goud, Advocate for the Petitioners and the 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 Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.6156 of 2022

ORDER:

This Criminal Petition under Section 482 Cr.P.C. is filed seeking the Court to quash the proceedings that are pending against the petitioners/Accused Nos.3, 5 and 6 in C.C.No.3277 of 2019 that is pending on the file of the Court of IV Additional Metropolitan Magistrate- IV Additional Junior Civil Judge at L.B.Nagar, Ranga Reddy District.

2. Heard the submission of learned counsel for the petitioners/Accused Nos.3, 5 and 6 as well as the learned Assistant Public Prosecutor, who appeared for respondent No.1 - State.

3. Having regard to the limited request made by learned counsel for the petitioners/Accused Nos.3, 5 and 6, issuance of notice to respondent No.2 is felt not necessary.

4. Learned counsel for the petitioners submits that a false case is foisted against the petitioners that they committed offences punishable under Sections 498-A, 323, 420, 494 read with 34 IPC and Sections 3 & 4 of Dowry Prohibition Act.

Learned counsel also states that the 1st petitioner is the maternal aunt and the petitioners 2 & 3 are the sons of petitioner No.1 and they are arrayed as Accused Nos.3, 5 and 6 in CC.No.3277 of 2019 that is pending on the file of the Court of IV Additional Metropolitan Magistrate- IV Additional Junior Civil Judge at L.B.Nagar, Ranga Reddy District.

5. Learned counsel for the petitioners further states that the petitioners having committed no offence, are facing trial and it is much difficult for them to attend the Court for each and every adjournment and therefore, no further orders are required, except, to dispense with their presence before the trial Court on each and every adjournment.

6. Having considered the said request which is not opposed by the learned Assistant Public Prosecutor, this Court considers it desirable to dispose of the Criminal Petition with the following directions:-

- (1) The Court of IV Additional Metropolitan Magistrate- IV Additional Junior Civil Judge at L.B.Nagar, Ranga Reddy District, is directed not to insist upon personal appearance of the petitioners/Accused Nos.3, 5 & 6 during the course of proceedings in C.C.No.3277 of

2019 that is pending on the file of the said Court, in case the petitioners/Accused Nos.3, 5 & 6 are represented by an Advocate.

(2) However, it is made clear that petitioners/Accused Nos.3, 5 & 6 shall make their appearance as and when specifically directed by the trial Court to do so.

8. As a sequel thereto, miscellaneous petitions pending, if any, shall stand closed.

SD/-T.JAYASREE
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The IV Additional Metropolitan Magistrate- IV Additional Junior Civil Judge, at L. B. Nagar, Ranga Reddy District.
2. The Station House Officer, Nacharam Police Station, Rachakonda.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri Kongala Mohan Goud, Advocate [OPUC]
5. Two CD Copies
6. One Spare Copy

MMK

SB *HVS*

HIGH COURT

DATED:14/07/2022

ORDER

CRLP.No.6156 of 2022



DISPOSING OF THE CRIMINAL PETITION

⑧
28/7/22
HVL