

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

MONDAY, THE FIRST DAY OF AUGUST

TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE DR. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION NO: 6419 OF 2022

Between:

1. Gadham Vijay Rao and 3 others, S/o.G.Narsing Rao (late), Aged 40 years, Occ- Business, R/o.H.No.8-2-92, New Maruthi Nagar, Karmanghat, Ranga Reddy District.
2. Smt.Gadham Hemalatha, W/o.G.Narsing Rao (late), Aged- 59 years, Occ- Housewife, R/o.H.No.8-2-92, New Maruthi Nagar, Karmanghat, Ranga Reddy District.
3. Smt.Mamatha @ Marine Radhika, W/o.M.Anand Kumar Aged- 34 years, Occ- Housewife, R/o.H.No.15-1-187, Har Jana Basthi, Saidabad, Hyderabad.
4. Manne Anand Kumar, S/o.M.Yadagir (late), Aged- 40 years, Occ- Unemployed, R/o.H.No.16-1-187, Har Jana Basthi, Saidabad, Hyderabad.

...PETITIONERS

AND

The State of Telangana, Rep. by its Public Prosecutor, High Court Buildings, High Court Through Women PS, Saroomagar

...RESPONDENT

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 against petitioner/ Accused No.1 to 4 in CC No.7877 of 2019 on the file of Honble V Addl. Metropolitan Magistrate, at Cyberabad, at L.B.Nagar.

I.A. NO: 2 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 all further proceedings against against Accused No.1 to 4 in CC No. 7877 of 2019 on the file of Honble V Addl. Metropolitan Magistrate, Cyberabad, at L.B.Nagar.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri NAGESHWAR RAO PUJARI, Advocate for the Petitioner and the Additional Public Prosecutor on behalf of the sole Respondent.

The Court made the following: **ORDER**

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.6419 of 2022

ORDER :

This Criminal Petition is filed seeking the Court to quash the proceedings that are pending against the petitioners who are arrayed as accused Nos.1 to 4 in C.C.No.7877 of 2019 that is pending on the file of the Court of V Additional Metropolitan Magistrate, Cyberabad at L.B.Nagar.

2. Heard the submission of the learned counsel for petitioners as well as the learned Assistant Public Prosecutor who is representing respondent No.1-State. In the light of the limited relief sought for, issuance of notice to respondent No.2 is felt not necessary.

3. Learned counsel for the petitioners submits that petitioner No.1/accused No.1 is the husband, petitioner No.2/accused No.2 is the mother-in-law, petitioner No.3/accused No.3 is the sister-in-law of respondent No.2-defacto complainant, petitioner No.4/accused No.4 is the husband of petitioner No.3/No.3. Learned counsel further

states that petitioner No.2 is an aged person and that, petitioner Nos.3 and 4 are not residing with petitioner No.1 and the defacto complainant and that, they are falsely implicated in this case. Learned counsel further submits that the petitioners are facing much difficulty in attending the trial Court on each and every adjournment and thus, no further orders are required in this Criminal Petition except to dispense with the personal appearance of the petitioners i.e., accused Nos.1 to 4 before the trial Court on each and every adjournment.

4. Learned Assistant Public Prosecutor did not raise any serious objection for grant of such a relief.

5. Having considered the submission made thus, this Criminal Petition is disposed of with the following directions:

- (1) The Court of V Additional Metropolitan Magistrate, Cyberabad at L.B.Nagar is directed not to insist upon personal appearance of petitioner Nos.2 to 4/Accused Nos.2 to 4 during the course of proceedings in C.C.No.7877 of 2019 that is

pending on the file of the said Court, in case they are represented by an Advocate.

(2) However, it is made clear that petitioner Nos.2 to 4/Accused Nos.2 to 4 shall make their appearance as and when specifically directed by the trial Court to do so.

(3) It is specifically mentioned that no such relief is granted in respect of petitioner No.1/accused No.1.

As a sequel, pending miscellaneous applications, if any, shall stand closed.

//TRUE COPY//

SD/-N.RAJAGOPAL
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The V Additional Metropolitan Magistrate, Cyberabad, L.B.Nagar.
2. The Station House Officer, Women PS, Saroomagar
3. One CC to SRI. NAGESHWAR RAO PUJARI Advocate [OPUC]
4. Two CCs to the ADDITIONAL PUBLIC PROSECUTOR, High Court for the State of Telangana, at Hyderabad. [OUT]
5. Two CD Copies.
6. One Spare Copy

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HIGH COURT

DATED:01/08/2022



ORDER

CRLP.No.6419 of 2022

DISPOSING OF THE CRIMINAL PETITION.

(8) JW
12/9/22