

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

**TUESDAY, THE THIRTIETH DAY OF AUGUST
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE DR. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION NO: 7784 OF 2022

Between:

Nampally Pavani, W/o. Lenin Babu, Age. 40 Years, Occ. Housewife,
R/o. H. No. Plot No. 272, Road No. 10, Vasavi Colony,
Chaithnyapuri, Dilsuknagar, Ranga Reddy District, Hyderabad.

...Petitioner

AND

1. The State of Telangana, through represented by Public Prosecutor,
High Court for the State of Telangana, at Hyderabad.
2. Boorugu Sahithi, D/o.Boorugu Dhananjaya, W/o. Thadakamalla
Harshavardhan Age. 29 years, Occ. Private Employee, R/o. Flat No.
201, Sai Nivas Residency, Plot No. 36,37 and 38 Road No. 1 Sringeri
Colony, Mohannagar, Kothapet, Hyderabad-500035.

...Respondents

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 pertaining
to and connected with DVC No. 34 of 2021 of VI Additional Metropolitan
Magistrate-cum-Judicial First Class Magistrate, (Special Mobile Court)-
cum- VI Additional Junior Civil Judge, Cyberabad, Ranga Reddy, at L.B.
Nagar and quash the same.

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

including the appearance of the petitioner in connection with DVC No. 34 of 2021 of VI Additional Metropolitan Magistrate-cum- Judicial First Class Magistrate, (Special Mobile Court)- cum- VI Additional Junior Civil Judge, Cyberabad, Ranga Reddy, 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 Laxmaiah Kanchani, Advocate for the Petitioner and the Assistant 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

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.7784 of 2022

ORDER:

1. Heard the submission of the learned counsel for the petitioner as well as the learned Assistant Public Prosecutor who is representing Respondent No.1-State.
2. In the light of the limited request made, issuance of notice to Respondent No.2 is felt not necessary.
3. Seeking the Court to quash the proceedings that are pending against the petitioner, who is arrayed as Respondent No.4 in D.V.C.No.34 of 2021, on the file of the Court of VI Additional Metropolitan Magistrate, Cyberabad, Ranga Reddy District, the present Criminal Petition is filed.
3. Learned counsel for the petitioner submits that the petitioner is the sister-in-law of the 2nd respondent and she has nothing to do with the affairs of the 2nd respondent and her husband. However, she is roped in this case with all false allegations. Learned counsel further states that the petitioner is unable to attend 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 petitioner 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. This Court has clearly indicated in its order in Criminal Petition No.5840 of 2022, dated 07.07.2022 that the proceedings that are undertaken under the Protection of Women from Domestic Violence Act by the Courts of Judicial Magistrate of First Class for granting various kinds of reliefs as enshrined under Sections 18 to 22 of the Protection of Women from Domestic Violence Act are more civil in nature and therefore, the personal appearance of the respondents therein for each and every adjournment, in case they are represented by their counsel, is not required. Exhibiting the same view, this Criminal Petition is disposed of with the following directions:-

- (i) The Judicial Magistrate of First Class, Cyberabad, Ranga Reddy District at L.B.Nagar, is directed not to insist upon personal appearance of the petitioner /Respondent No.4 during the course of proceedings in D.V.C.No.34 of 2021 that is pending .

on the file of the said Court, in case she is represented by an Advocate.

(ii) However, it is made clear that petitioner /Respondent No.4 shall make her appearance as and when specifically directed by the trial Court to do so.

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

SD/-R.KATHIKEYAN
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The VI Additional Metropolitan Magistrate-cum- Judicial First Class Magistrate, (Special Mobile Court)- cum- VI Additional Junior Civil Judge, Cyberabad, Ranga Reddy, at L.B. Nagar
 2. The V Additional Metropolitan Magistrate, Cyberabad, at L.B.Nagar.
 3. The Station House Officer, Women Police Station, Saroomnagar, Rachakonda.
 4. Two CCs to the Assistant Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
 5. One CC to Sri Laxmaiah Kanchani, Advocate [OPUC]
 6. Two CD Copies
 7. One Spare Copy
- MMK

es

HIGH COURT

DATED:30/08/2022



ORDER

CRLP.No.7784 of 2022

DISPOSING OF THE CRIMINAL PETITION

[Handwritten signature]
05/09/2022