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

THURSDAY, THE TWENTY FOURTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No: 8041 OF 2022

Between:

Kondra Ashok Kumar, S/o. Late Biksham, Aged about. 39 years, Occ. Junior Assistant, KTPS (O&M), TS GENCO, R/o. Q.No. F-70A Colony, Palvoncha Town, Bhadradi-Kothagudem District, TS.

...Petitioner/Accused

AND

1. The State of Telangana, through SHO, Palvoncha Town, Police Station, Khammam (Presently Bhadradi-Kothagudem District) Rep. by its Public Prosecutor, High Court of Telangana, at Hyderabad.
2. Smt. Kalva Padma, W/o. Late Parameshwar Rao, Aged about. 44 years, Occ. Senior Assistant, KTPS, R/o. F-57A Colony, Palvoncha Town, Bhadradi-Kothagudem District, TS. (Erstwhile Khammam 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 call for the records relating to S.C. No. 561 of 2014, on the file of Principal Assistant Sessions Judge, at Kothagudem, Bhadradi- Kothagudem District, which was arose out of Crime No. 141/2013, dated. 25.04.2013, and initially crime was registered **U/Sec. 417, 294(b), 420, 506 of IPC** and said false crime registered by the SHO, Palvoncha, Police Station, Khammam, against the Petitioner/Accused herein, pursuant to the false and frivolous compliant of the 2nd respondent herein, without there being any valid reasons, and grievance of the 2nd respondent, and subsequently 2nd respondent/complainant influenced the prosecution and filed the Memo before the Court below, on **16.09.2014** in CrI.M.No. 1828 of 2014 in C. C. No. 141 of 2013, and said memo was allowed by the Court below, without their being valid reasons, it means **U/Sec. 376 of IPC was added along with U/Sec. 417, 294(b), 420, 506 of IPC**, and despite there is no any ingredients of the U/Sec. 376 of IPC in the 2nd respondent compliant or in her deposition, but wrongfully added the U/Sec. 376 of IPC by filing the simple memo through Learned APP, and **even before allowing the said memo by the Court below, and Court below neither given any proper opportunity to the Petitioner/Accused to the defend his case, nor given any reasonable opportunity to file the proper counter or reply for the memo, and to quash**

proceedings thereon, and to grant such other relief or reliefs as this Hon'ble Court may deem fit and proper in the circumstances of the case.

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 grant stay of all further proceedings including appearance of the Petitioner/Accused, in S.C. No. 561 of 2014, on the file of the Principal Assistant Sessions Judge, at Kothagudem, Bhadrachalam-Kothagudem District.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri S.DINESH, Advocate for the Petitioners and of the Additional Public Prosecutor for the State of Telangana on behalf of the Respondent No.1 and of Sri_Advocate for the Respondent No.-----

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.8041 OF 2022****ORDER:**

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking to quash the proceedings against the petitioner-Accused in S.C. No.561 of 2014 on the file of Principal Assistant Sessions Judge at Kothagudem, Bhadradri-Kothagudem District.

2. Mr.S.Dinesh, learned counsel for petitioner-Accused represents that the case has become infructuous.
3. Recording the aforesaid submission, the Criminal Petition is dismissed.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/- I. NAGA LAKSHMI
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The Principal Assistant Sessions Judge, at Kothagudem, Bhadradri-Kothagudem District.
2. One CC to SRI S. DINESH, Advocate [OPUC]
3. Two CCs to the Public Prosecutor, High Court of Telangana, at Hyderabad (OUT)
4. Two CD Copies.

H- KAM

HIGH COURT

KS J

DATED:24/11/2022



ORDER

CRLP.No.8041 of 2022

CRLP DISMISSED.

Accepted
19
9/11/23