

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

**THURSDAY, THE FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 10671 OF 2022

Between:

1. Smt. Mungapati Megalakshmi, W/o. Raju
2. Smt. Mungapati Gouthami, D/o. Gandhe Raju

...PETITIONER/ACCUSED No. 2 & 3

AND

1. State of Telangana, Represented by Public Prosecutor, High Court of Hyderabad
2. Smt. Mungapati Sandhya, W/o. M.Chandhu Aged about 23 years, Occ. Housewife R/o. Sriram Colony, Jalpally Village, Balapur Mandal, R.R.District

...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 Quash the proceedings in C.C.No.2289/2022 U/Sec. 498-A, 323 IPC, Sec.3 and 4 of Dowry Prohibition Act on the file of the Hon'ble Prl. Junior Civil Judge cum Metropolitan Magistrate, 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 of all further proceedings in C.C.No.2289/2022 U/Sec. 498-A, 323 IPC, Sec.3 and 4 of Dowry Prohibition Act on the file of the Hon'ble Prl. Junior Civil Judge cum Metropolitan Magistrate, Cyberabad at L.B.Nagar pending disposal of the criminal petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri V RAGHUNATH, Advocate for the Petitioner and the Additional Public Prosecutor on behalf of the Respondent No. 1 and none appeared for the Respondent No. 2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.10671 OF 2022****ORDER:**

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioners-Accused Nos.2 and 3 to quash the proceedings against them in C.C.No.2289 of 2022 pending on the file of Prl.Junior Civil Judge-cum-Metropolitan Magistrate, Cyberabad at L.B.Nagar. The offences alleged against the petitioners are under Sections 498-A and 323 of Indian Penal Code (for short "IPC") and Sections 3 and 4 of Dowry Prohibition Act (for short "DP Act").

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent – State. Perused the record.

3. After arguing sometime, learned counsel for the petitioners confines his prayer to dispense with the personal appearance of the petitioners before the trial Court.

4. A perusal of the record would reveal that, the disputes arose out of marital discord in between the *de facto* complainant and the Accused No.1.

5. In the said circumstances, this Criminal Petition is disposed off with the following directions:

- i) The attendance of the petitioners – Accused Nos.2 and 3 is dispensed with in C.C.No.2289 of 2022 pending on the file of Prl.Junior Civil Judge-cum-Metropolitan Magistrate, Cyberabad at L.B.Nagar, when represented by their counsel on record.
- ii) The attendance of the petitioners is dispensed subject to filing an affidavit by the petitioners stating that in their absence the proceedings conducted by their counsel will not be disputed by them in any manner and shall not dispute their identity also.
- iii) However, the petitioners shall appear before the learned Magistrate as and when their presence is required. In the event of the petitioners failure to appear when the Court directs, this order dispensing their attendance shall stand cancelled.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/-K.SHYLESHI
DEPUTY REGISTRAR

R.B.K.
SECTION OFFICER

To,

1. The Hon'ble Prl. Junior Civil Judge cum Metropolitan Magistrate, Cyberabad at L.B.Nagar
2. The Station House Officer, Pahadishareef 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. V RAGHUNATH Advocate [OPUC]
5. Two CD Copies

VH

H/V

HIGH COURT

DATED: 01/12/2022

ORDER

CRLP.No.10671 of 2022



Disposing of the Criminal Petition

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3/1/23
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