

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

**MONDAY, THE NINETEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 10866 OF 2022

Between:

1. S. .Sadanand Reddy , S/o Ballakrishna Reddy, Aged about 67 years, Occ: Service, R/o Plot No.296/A, M.L.A Colony, Road No.1, Banjara Hills, Hyderabad.
 2. S. Parameswari, W/o S. Sadanand Reddy, Aged about 63 years, Occ: House Wife, R/o Plot No.296/A, M.L.A Colony, Road No.1, Banjara Hills, Hyderabad.
 3. S. Rajiv Reddy, S/o S.Sadanand Reddy, Aged about 37 years, Occ: Service, R/o Plot No.296/A, M.L.A Colony, Road No.1, Banjara Hills, Hyderabad
- ...Petitioner/Respondent Nos. 2 to 4**

AND

1. S. Swetha Reddy, W/o S.Rajesh Reddy, Aged about 35 years, Occ: Doctor, R/o H.No 78-2-695/R/4, Road No.12, Banjara Hills, Hyderabad.
2. The State of Telangana, Represented by its Public Prosecutor, High Court of Telangana, Hyderabad

...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 Notices in D.V.C No 322 of 2022 on the file of III Metropolitan Magistrate, at Manoranjan Complex, Nampally, Hyderabad.

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 in D.V.C.No.322 of 2022 on file of the III Metropolitan Magistrate, at Manoranjan Complex, Nampally including personal appearance of the petitioners in 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 NAMBI KRISHNA, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No.2 and None Appeared for the Respondent No.1

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.10866 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-Respondent Nos.2 to 4 to quash the proceedings against them in DVC No.322 of 2022 pending on the file of III Metropolitan Magistrate at Manoranjan Complex, Nampally.

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

3. Though the petitioners have raised several grounds to quash the proceedings in the aforesaid DVC, learned counsel for the petitioners requested this Court to dispense with the appearance of the petitioners, in the aforesaid DVC case before the trial Court.

4. In view of the aforesaid submission, this Criminal Petition is disposed off with the following directions:

i) The attendance of the petitioners – Respondent Nos.2 to 4 is dispensed with in DVC No.322 of 2022 pending on the file of III Metropolitan Magistrate at Manoranjan Complex, Nampally, 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.

5. Needless to say, the petitioners are at liberty to file an application seeking discharge before the concerned Court. In the event of such application being made, the concerned Court shall dispose it off on merits in view of the judgment rendered by the Hon'ble Supreme Court in case of ***Bhushan Kumar and another***

vs. State (NCT of Delhi) and another¹, within a period of four weeks from the date of filing.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/-K.AMMAJI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The III Metropolitan Magistrate, at Manoranjan Complex, Nampally, Hyderabad.
2. Two CC to the Public Prosecutor, High Court for the State of Telangana at Hyderabad, [OUT]
3. One CC to Sri. NAMBI KRISHNA, Advocate [OPUC]
4. Two CD Copies

PSR
plp

¹ (2012) 5 SCC 424

HIGH COURT

DATED:19/12/2022

ORDER

CRLP.No.10866 of 2022



DISPOSING OF THE CRIMINAL PETITION.

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PN
6/1/23