

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

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

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 11198 OF 2022

Between:

1. Y.Bhavya Vinatha, W/o Y.Sandeep, Aged about 33 years, Occ: House Wife, R/o H.No-5-1-143/A, Poosal Basthi, Putli Bowli P.O. Hyderabad-095.
2. Y.Sandeep, S/o Y. Surender, Aged about 35 years, Occ: Software Employee, R/o H.No-5-1-143/A, Poosal Basthi, Putli Bowli P.O. Hyderabad-095.

...Petitioner/Accused Nos. 1 to 2

AND

1. The State of Telangana, Represented by its Public Prosecutor, High Court of Judicature at Hyderabad, for the State of Telangana.
2. Y.Pramila, W/o Y. Surender, Aged about 64 Years, Occ: House Wife, R/o H.No-5-1-143/A, Poosal Basthi, Putli Bowli P.O. Hyderabad-095.

...Respondent/Defato 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 quash the proceedings in C.C.No.7159 OF 2022 on the file The II Additional Chief Metropolitan Magistrate at Hyderabad.

I.A. NO: 1 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 appearance in C.C.N.71.59 OF 2022 on the file The II Additional Chief Metropolitan Magistrate at Hyderabad and pending disposal of the above Criminal petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri RAPOLU BHASKAR, Advocate for the Petitioner and the 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.11198 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.1 and 2 to quash the proceedings against them in C.C.No.7159 of 2022 pending on the file of II Additional Chief Metropolitan Magistrate at Hyderabad. The offences alleged against the petitioners are under Sections 506 and 509 of Indian Penal Code (for short "IPC").

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent – State. Perused the record.
3. Learned counsel for the petitioners confined his prayer to dispense with the personal appearance of the petitioners - Accused Nos.1 and 2.
4. Considering the submission of learned counsel for the petitioners, this Criminal Petition is disposed of with the following directions:

- i) The attendance of the petitioner No.1 – Accused No.1 is dispensed with in C.C.No.7159 of 2022 pending on the file of II Additional Chief Metropolitan Magistrate at Hyderabad, when represented by their counsel on record.
- ii) The attendance of the petitioner No.1 – Accused No.1 is dispensed subject to filing an affidavit by the petitioner stating that in her absence the proceedings conducted by her counsel will not be disputed by her in any manner and shall not dispute her identity also.
- iii) However, the petitioner No.1 – Accused No.1 shall appear before the learned Magistrate as and when her presence is required. In the event of the failure of the petitioner No.1 – Accused No.1 to appear when the Court directs, this order dispensing her attendance shall stand cancelled.
- iv) No such relief is given to petitioner No.2 – Accused No.2.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/-K.AMMAJI
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The II Additional Chief Metropolitan Magistrate at Hyderabad
2. The Station House Officer, Afzalgunj Police Station, Afzalgunj, Hyderabad
3. Two CC to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]

4. One CC to Sri. RAPOLU BHASKAR, Advocate [OPUC]

5. Two CD Copies

HIGH COURT

DATED:15/12/2022

ORDER

CRLP.No.11198 of 2022



DISPOSING OF CRIMINAL PETITION.

(8) Copies

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3/01/2023