

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

**WEDNESDAY, THE FOURTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 11153 OF 2022

Between:

Kande Rajesh Kumar S/o Venugopal Aged about. 37 Yrs, Occ. Software Engineer R/o Flat No.302, Hanuman Enclave, Padmanagar, Karmanghat, Ranga Reddy District

...PETITIONER/ACCUSED

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court for the State of Telangana At Hyderabad
2. Smt. P. Radhika W/o K. Rajesh Kumar D/o P. Pandari, aged about. 35 Yrs, Occ. Housewife, R/o 4-5-202, Anandnagar, Rajiv Chowk, Karimnagar-505001.

...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 set aside docket order dt.17.06.2022 in CrI.M.P.No.274 of 2022 in C.C.No.2045 of 2022 on the file of Special Judicial Magistrate of First Class (Excise) at Karimnagar in the interest of justice.

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 stay the docket order dt.17.06.2022 in CrI.M.P.No.274 of 2022 in C.C.No.2045 of 2022 on the file of Special Judicial Magistrate of First Class (Excise) at Karimnagar pending disposal of the above quash petition, in the interest of justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri VEERA BABU GANDU ,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.11153 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 petitioner-Accused seeking to set aside the docket order dated 17.06.2022 passed in Crl.M.P.No.274 of 2022 in C.C.No.2045 of 2020 by the learned Special Judicial Magistrate of First Class (Excise) at Karimnagar.

2. Heard both sides. Perused the material on record.
3. The grievance of the petitioner is that the Special Judicial Magistrate of First Class by order dated 17.06.2022 directed the petitioner - Accused depositing of passport before the said Court, for the reason of an apprehension that was expressed by the *de facto* complainant that the petitioner is trying to marry another woman and also trying to go abroad.
4. Except the said apprehension, no details are given by the *de facto* complainant, however, in the interest of justice, it is directed that this petitioner shall file an affidavit before the concerned Court

stating that he would seek permission of the Court in the event of travelling abroad. Further, he would appear before the said Court, for the purpose of concluding trial on all such dates in which he was required to appear.

5. Accordingly, the Criminal Petition is disposed off and the order dated 17.06.2022 is hereby *set aside*, directing the petitioner to file the said affidavit before the concerned Court.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/-T.JAYASREE
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Special Judicial Magistrate of First Class (Excise) at Karimnagar
2. The Station House Officer, Karimnagar Women Police Station, Karimnagar.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to SRI. VEERA BABU GANDU Advocate [OPUC]
5. Two CD Copies

VII
plp



HIGH COURT

DATED: 14/12/2022



ORDER

CRLP.No.11153 of 2022

Allowing the Criminal Petition

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HMA
05/11/2023