

**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: 11192 OF 2022

Between:

1. M. Rathna Bai, W/o. M. Vittal Rao, Aged about 72 Year, Occ. Retired Govt. Employee, NCC Department, R/o. H.No. 37-93-38/2, Mathuranagar colony, Road No. 4, Neredmet X roads, Hyderabad.
2. V. Arun, S/o. M. Vittal Rao, Occ. PG Diploma student, R/o. H.No. 37-93-38/2, Mathuranagar colony, Road No. 4, Neredmet X roads, Hyderabad.
3. Bindu @ Tabassum Begum, W/o. V. Arun, Aged about 29 Year, Occ. Housewife, R/o. H.No. 37-93-38/2, Mathuranagar colony, Road No. 4, Neredmet X roads, Hyderabad.
4. V. Naveen Kumar, S/o. M. Vittal Rao, Aged about 40 Year, Occ. Private Employee, R/o. H.No. 37-93-38/2, Mathuranagar colony, Road No. 4, Neredmet X Roads, Hyderabad.

...PETITIONER/ACCUSED No. 2 to 5

AND

1. The State of Telangana, Represented by Public Prosecutor, High Court at Hyderabad.
2. M.J. Jayavani @ Sri Vidya, W/o. Sandeep Vittal, Aged about 29 Year, Occ. Private employee, R/o. H.No. 1-4-243/3, Sri Sai Gayathri Nilayam, Road No. 7, New Maruthy Nagar, Kothapet.

...RESPONDENT No.2/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 DVC No. 105 of 2022, against Petitioner/respondent No. 2 to 5, Pending for Disposal on the file of Learned IV Metropolitan Magistrate, Presiding at LB Nagar, arising from respondent No. 2's application.

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 Proceedings, in DVC No. 105 of 2022, including appearance of Petitioners/respondent No. 2 to 5, Pending for disposal on file of learned IV metropolitan magistrate, Presiding at LB Nagar.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri M. RATAN SINGH, Advocate for the Petitioner and of the Additional Public Prosecutor (TG) 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.11192 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 5 seeking to quash the proceedings against them in D.V.C.No.105 of 2022 pending on the file of learned IV Metropolitan Magistrate at L.B. Nagar.

2. Heard learned counsel for the petitioners-respondent Nos.2 to 5 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-respondent Nos.2 to 5 as they are facing difficulty in attending the Court on each and every date of hearing.

4. Considering the submission of learned counsel for the petitioners, the attendance of the petitioners - respondent Nos.2 to 5 is dispensed with in D.V.C.No.105 of 2022 pending on the file of learned IV Metropolitan Magistrate at L.B. Nagar, when represented

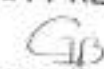
by their counsel on record. The attendance of the petitioners – respondent Nos.2 to 5 is dispensed with subject to filing of affidavits by the petitioners stating that in their absence the proceedings conducted by their counsel will not be disputed by them in any manner and shall not dispute their identity also. However, the petitioners shall appear before the learned Magistrate as and when their presence is required. In the event of failure of the petitioners to appear when the Court directs, this order dispensing their attendance shall stand cancelled.

5. Accordingly, the Criminal Petition is disposed of. Needless to say, in the event of the petitioners filing an application under Section 239 of Cr.P.C. seeking discharge, the concerned Court shall dispose it of 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 another***¹.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/-B.SATYAVATHI
DEPUTY REGISTRAR


SECTION OFFICER

To,

1. The IV Metropolitan Magistrate, Presiding at LB Nagar.
2. The Protection Officer, WCD & SC Department, Rangareddy, Telangana.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. (OUT)
4. One CC to Sri M. RATAN SINGH, Advocate [OPUC]
5. Two CD Copies.

Njb PMG.

HIGH COURT

DATED:15/12/2022

ORDER

CRLP.No.11192 of 2022



DISPOSING OFF THE CRIMINAL PETITION.

⑧ PMG.
31/1/23