

**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: 11224 OF 2022

Between:

1. Tafhsil Hussain, S/o.Muntaj Hussain, Muslim, aged 35 years Occ. Business, R/o.7-3-206 Kashmoergadda Karimnagar District Telangana.

...PETITIONER/ACCUSED No.2

AND

1. The State of Telangana, Rep.by public prosecutor High Court, Hyderabad.
2. V.Ravinder Reddy, S/o.Raji Reddy, Hindu, aged 60 years Occ. Private Employee R/ o. Chintalapally Saidapur Mandal Karimnagar.

...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 call for the records in C.C.No.1155/2017 on the file of the court of the Additional Judicial First Class Magistrate, Karimnagar, Telangana and quash the same as the same is illegal, arbitrary and abuse of process of law.

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 grant stay of all further proceedings including appearance of the petitioner/A2 in C.C.No.1155/2017 on the file of the court of the Additional Judicial First Class Magistrate, Karimnagar, Telangana pending disposal of the above CrI.P.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of M/s G. SINDHU, 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.11224 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 No.2 to quash the proceedings against him in C.C.No.1155 of 2017 pending on the file of Additional Judicial First Class Magistrate, Karimnagar, Telangana State. The offences alleged against him are under Sections 448, 427 and 506 read with Section 34 of Indian Penal Code (for short "IPC").

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent – State. Perused the record.
3. Though the petitioner has raised several grounds to quash the proceedings in the aforesaid case, learned counsel for the petitioner requested this Court to dispense with the appearance of the petitioner, in the aforesaid 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 petitioner – Accused No.2 is dispensed with in C.C.No.1155 of 2017 pending on the file of Additional Judicial First Class Magistrate, Karimnagar, Telangana State, when represented by his counsel on record.

ii) The attendance of the petitioner is dispensed subject to filing an affidavit by the petitioner stating that in his absence the proceedings conducted by his counsel will not be disputed by him in any manner and shall not dispute his identity also.

iii) However, the petitioner shall appear before the learned Magistrate as and when his presence is required. In the event of the petitioner failure to appear when the Court directs, this order dispensing his attendance shall stand cancelled.

5. Needless to say, the petitioner is 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, within a period of four weeks from the date of filing.

Miscellaneous applications pending, if any, shall stand closed.

SD/- C.PRAVEEN KUMAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Additional Judicial First Class Magistrate at Karimnagar, Karimnagar District.
2. The Station House Officer, Karimnagar I Town Police Station, Karimnagar District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. (OUT)
4. One CC to M/s. G. SINDHU, Advocate [OPUC]
5. Two CD Copies.

Njb

HIGH COURT

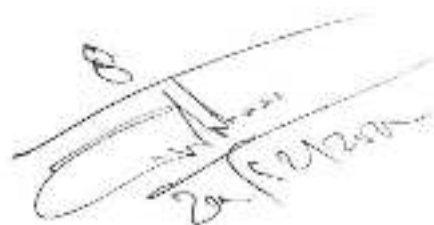
DATED:15/12/2022

ORDER

CRLP.No.11224 of 2022



DISPOSING OF THE CRIMINAL PETITION.


22/12/2022