

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

**FRIDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 11251 OF 2022

Between:

S. Ramesh Babu, S/o. Venkataramana Murthy, Aged about 56 years, Occ: Business R/o. Flat No. 305, Sailaja Estates, P and T Colony, Dilsukhnagar, Hyderabad

...Petitioner/Accused

AND

1. The State of Telangana, Represented by its Public Prosecutor, High Court For the state of Telangana at Hyderabad
2. Sriram Housing Finance Company, Represented by its branch Manager, Mangala Ramanjaneyulu, S/o Nagappa, aged about 43 years, Occ: Branch Manager, R/o. Lakdikapool Hyderabad

...2nd Respondent/Defacto 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. 1486 of 2015 on the file of the court of Mobile court -Cum-XI Metropolitan Magistrate, Cyberabad at LB Nagar (Presently transferred to Special Judicial First Class Magistrate, (Excise) -Cum-V Additional Junior Civil Judge,- Cum -V Metropolitan Magistrate, Cyberabad At L.B.Nagar) against the petitioner /Accused No.1.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri KOPPULA GOPAL, 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.11251 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.1 to quash the proceedings against him in C.C.No.1486 of 2015 pending on the file of Mobile Court Cum XI Metropolitan Magistrate, Cybearabad at L.B. Nagar (Presently transferred to Spl. Judicial First Class Magistrate, (Excise) – Cum V Additional Junior Civil Judge Cum V Metropolitan Magistrate, Cyberabad at L.B. Nagar. The offences alleged against him are under Sections 120-B, 420, 423, 506 read 34 of Indian Penal Code (for short "IPC") and Section 156(3) of Code of Criminal Procedure.

3. A perusal of the record would reveal that case was filed by the 2nd respondent/*de facto* complainant stating that accused No.1 has taken home loan from the complainant dishonestly with the support of accused Nos.2 to 6 and they also threatened complainant with dire consequences.

4. Thus, having regard to the facts and circumstances of the case, the attendance of the petitioner-accused No.1 is dispensed with in C.C.No.1486 of 2015 pending on the file of Mobile Court Cum XI Metropolitan Magistrate, Cybearabad at L.B. Nagar (Presently transferred

to Spl. Judicial First Class Magistrate, (Excise) – Cum V Additional Junior Civil Judge Cum V Metropolitan Magistrate, Cyberabad at L.B. Nagar. The offences alleged against him are under Sections 120-B, 420, 423, 506 read 34 of Indian Penal Code (for short "IPC") and Section 156(3) of Code of Criminal Procedure, when represented by their counsel on record. The attendance of the petitioners is dispensed subject to filing an affidavit by the petitioners stating that in their absence the proceedings conducted by his counsel will not be disputed by them in any manner and also he shall not dispute his identity. 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 would stand cancelled.

5. Accordingly, the Criminal Petition is disposed off.

Miscellaneous applications pending, if any, shall stand closed.

Sd/-G.SIREESHA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Court of Mobile court -Cum-XI Metropolitan Magistrate, Cyberabad at LB Nagar (Presently transferred to Special Judicial First Class Magistrate, (Excise) -Cum-V Additional Junior Civil Judge,- Cum -V Metropolitan Magistrate, Cyberabad At L.B.Nagar)
2. The Station House Officer, Saroomagar Police Station, LB Nagar Division.
3. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri. KOPPULA GOPAL, Advocate [OPUC]
5. Two CD Copies

PSR
plp



HIGH COURT

DATED:16/12/2022



ORDER

CRLP.No.11251 of 2022

DISPOSING OF THE CRIMINAL PETITION

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REMA
09/1/2023