

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

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

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 11854 OF 2022

Between:

1. Baddula Sathish Kumar, S/o Late Rajalingam, age. 32 Years, Occ. Sales Officer, R/o H.No 11-19-33, Ground floor, Venkateshwara colony, Road No. 17, Saroornagar, RR Dist
2. Baddula Aruna, W/o Late Rajalingam, age. 60 Years, Occ. House wife, R/o H- No 11-19-33, 1st Floor, Venkateshwara colony, Road No. 17, Saroornagar, RR Dist
3. Baddula Sai Kumar, S/o Late Rajalingam, age. 34 Yrs, Occ. Asst Manager in Arrow Publication/ R/o H.No 11-19-33, 2nd Floor Venkateshwara colony, Road No. 17, Saroornagar, RR Dist
4. Baddula Kishore, S/o Late Rajalingam, age. 30 Yrs, Occ. Sales executive Raymond show room 3.7 R/o H.No 11-19-33, 1st Floor, Venkateshwara colony, Road No. 17, Saroornagar, RR Dist

...Petitioner/Accused Nos. 1 to 4

AND

1. The State of Telangana, Through W.P.S. Saroornagar Represented by its Public Prosecutor High Court for the State of Telangana
2. Baddula Kalapana, W/o Baddula Sathish Kumar, age 28 Years, Occ. House wife, R/o Cosmopolitan Colony, Mansoorabad, LB Nagar, RR Dist

...Respondent/De-facto 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.979 of 2021 on the file of the III Addl Junior Civil Judge cum III Additional Metropolitan Magistrate, Ranga Reddy District, At L.B.Nagar, for the alleged offences U/Sec.498- A, 323, 506 IPC, and sec. 3 and 4 of D.P. Act.

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 of all further proceedings in C.C .No.979 of 2021 on the file of the III Additional Junior Civil Judge cum III Additional Metropolitan Magistrate, Ranga Reddy District, At L.B.Nagar, for the alleged offences U/Sec.498-A, 323, 506 IPC, and sec. 3 and 4 of D.P. Act.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri JANARDHAN GOUD SUNKARI, Advocate for the Petitioner and the Additional 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.11854 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 to 4 to quash the proceedings against them in C.C.No.979 of 2021 pending on the file of learned III Additional Junior Civil Judge-cum-III Additional Metropolitan Magistrate, Ranga Reddy District at L.B.Nagar. The offences alleged against them are under Sections 498-A, 323, 506 of IPC and Sections 3, 4 of D.P.Act.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent No.1 - State. Perused the record.

3. A perusal of the record would reveal that the 2nd respondent married accused No.1 on 11.03.2016. Later, accused No.1 and his family members started harassing 2nd respondent physically and mentally for want of additional dowry and threatened 2nd respondent with dire consequences. In the charge sheet, *prima facie*, there are certain allegations levelled against the petitioners herein. They are triable issues. The petitioners have to face trial and prove their innocence. The defence taken by the petitioners cannot be considered in an application filed under Section 482 Cr.P.C. Therefore, this Court is not inclined to quash the proceedings C.C.No.979 of 2021 pending on the file of learned III Additional

Junior Civil Judge-cum-III Additional Metropolitan Magistrate, Ranga Reddy District at L.B.Nagar, against the petitioners herein.

4. Thus, having regard to the facts and circumstances of the case, the attendance of the petitioners herein – Accused Nos.1 to 4 is dispensed with in C.C.No.979 of 2021 pending on the file of learned III Additional Junior Civil Judge-cum-III Additional Metropolitan Magistrate, Ranga Reddy District at L.B.Nagar, when represented by their counsel on record. The attendance of the petitioners-accused Nos.1 to 4 is dispensed with subject to filing an affidavit by the petitioners stating that in their absence the proceedings conducted by their counsel will not be disputed by them in any manner and also they shall not dispute their 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 of.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/- P. GOWRI SHANKAR
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The III Additional Junior Civil Judge at L.B. Nagar.
2. The Station House Officer, Saroonagar Police Station, Hyderabad
3. Two CCs to Additional Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to SRI JANARDHAN GOUD SUNKARI, Advocate [OPUC]
5. Two CD Copies

PSR

HIGH COURT

KS,J

DATED:30/12/2022

ORDER

CRLP.No.11854 of 2022



THE CRIMINAL PETITION IS DISPOSED OFF.

(8) MV
18/1/23