

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

**TUESDAY, THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 11721 OF 2022

Between:

Theegala Arun Kumar, S/o Sathyanarayana, Aged about 36 years, Occ Business, R/o H. No. Thippapur (V), Rajanna Sircilla District, T. S.

...PETITIONER/ACCUSED No.3

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court at Hyderabad.
2. Sriramula Madhu Kumar, S/o Ramaswamy, Aged about 53 years, Occ STO Vemulawada, R/o H. No. 9- 6- 137/ 1, Ramnagar, Karimnagar District, T. S. Presently Rajanna Sircilla District, T. S.

... DEFACTO COMPLAINANT/RESPONDENT No.2

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. 771 of 2020 dated 31- 12- 2018 on the file of the Judicial Magistrate of First Class Court at Vemulawada, Rajanna- Sircilla District, against the Petitioner/ Accused No. 3 and pass

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 stay all further proceedings in C. C. No. 771 of 2020 dated 31- 12- 2018 on the file of the Judicial Magistrate of First Class Court at Vemulawada, Rajanna- Sircilla District, against the Petitioner/Accused No. 3 pending disposal of the Main Quash petition in the interest of the justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri P VAMSHEEDHAR REDDY, Advocate for the Petitioner and of the Additional Public Prosecutor for the State of Telangana 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.11721 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.3 to quash the proceedings against him in C.C.No.771 of 2020 pending on the file of Judicial Magistrate of First Class at Vemulawada, Rajanna-Sircilla District. The offences alleged against him are under Sections 420, 468, 471, 477-A and 406 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.3 is dispensed with in C.C.No.771 of 2020 pending on the file of Judicial Magistrate of First Class at Vemulawada, Rajanna-Sircilla District, 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/- T SRINIVAS
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial Magistrate of First Class Court at Vemulawada, Rajanna-Sircilla District,
2. The Station House Officer, Police Station Vemulawada, Rajanna- Sircilla District.
3. Two CCs to the Public Prosecutor for the state of Telangana at Hyderabad (OUT)
4. One CC to SRI. P VAMSHEEDHAR REDDY, Advocate [OPUC]
5. Two CD Copies

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RSSR

HIGH COURT

DATED: 27/12/2022

ORDER

CRLP.No.11721 OF 2022



DISPOSING THE CRIMINAL PETITION

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09/01/23
BSR