

**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: 11883 OF 2022

Between:

Kiran Kumar, s/o T.S.V Krishnaiah, Age. 43 years, Occ. Google Finance Manager (G.A). R/o. Flat No. G2, Surya Enclave, Mothinagar, Borabanda, Hyderabad
...PETITIONER/ACCUSED No.1

AND

1. The State of Telangana, Through its Public Prosecutor High Court of TS, Hyderabad.
2. Smt.Turlapati Rajitha, w/o Turlapati Kiran Kumar, Age. 40 years, Occ. House wife, H.No.10-2-67, Old Post Office, Near Mahalakshmi temple, Lingojiguda, Saroornagar, R.R District ...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 Charge Sheet in CC 5098/2022 before the Honble III Additional Junior Civil Judge cum III Additional Metropolitan Magistrate, Cyberabad, at L.B.Nagar the alleged offence under Crime No. 320/2022 i.e., U/s 498A, 506, 406, 323 of IPC, sec 3 and 4 DP Act against the petitioners in the interest of justice.

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 including appearance of the petitioners/accused No 1 in CC 5098/2022 before the Honble III Additional Junior Civil Judge cum III Additional Metropolitan Magistrate, Cyberabad, at L.B.Nagar pending the disposal of the main petition for quashing the same.

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:

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.11883 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.5098 of 2022 pending on the file of learned III Additional Metropolitan Magistrate, Cyberabad at L.B. Nagar. The offences alleged against the petitioner are under Sections 498-A, 323, 506 and 406 of Indian Penal Code (for short "IPC") and Sections 3 and 4 of Dowry Prohibition Act.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent – State. Perused the record.
3. Learned counsel for the petitioner confined his prayer to dispense with the personal appearance of the petitioner - Accused No.1 as he is working as Finance Manager in Google Company and it is very difficult for him to appear before the Court on each and every date of hearing.

4. Considering the submission of learned counsel for the petitioner, this Criminal Petition is disposed of with the following directions:

- i) The attendance of the petitioner – Accused No.1 is dispensed with in C.C.No.5098 of 2022 pending on the file of learned III Additional Metropolitan Magistrate, Cyberabad at L.B. Nagar, when represented by his counsel on record.
- ii) The attendance of the petitioner – Accused No.1 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 – Accused No.1 shall appear before the learned Magistrate as and when his presence is required. In the event of the failure of the petitioner – Accused to appear when the Court directs, this order dispensing his attendance shall stand cancelled.
- iv) Needless to say, in the event of the petitioner filing an application under seeking discharge, the concerned Court shall dispose it of on merits within a period of four (04) weeks.

Miscellaneous applications pending, if any, shall stand closed.

Sd/-I.NAGA LAKSHMI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The III Additional Metropolitan Magistrate, Cyberbad.
2. The Station House Officer, Saroornagar WPS Police Station, Rachakonda Commissionerate.
3. Two CCs to the 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

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HIGH COURT

DATED:30/12/2022

ORDER

CRLP.No.11883 of 2022



CRIMINAL PETITION IS DISPOSED OF

8 Copies
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11/01/23