

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: 11855 OF 2022

Between:

1. Sri M.V Prasad Rao, S/o Late Sri Madhusudan Rao Aged about 73 years, Occ. Ret Govt Employee, R/o Singhdeo Complex, Deulasahi, Tulsipur, Cuttack, Odisha.
2. Smt. VIJAYA LAXMI, W/o M.V. PRASAD RAO, Aged about 70 years, Occ. Household, R/o Singhdeo Complex, Deulasahi, Tulsipur, Cuttack, Odisha.
3. Smt ASHA PATNIK, W/o Chandra Sekhar Aged about 42 Years, Occ. Housewife, R/o Samata Nivas, Attapur, Hyderabad.

...PETITIONERS/RESPONDENTS NO.2,3 & 4

AND

1. The State Of Telangana, Rep. by its Public Prosecutor, High Court of Judicature, at Hyderabad.
2. Deepa Manipatrani, W/o M.Tirumala Rao, Aged about 40 years, Occ. IT Employee, R/o H.NO. 6-3-377/1, Panjaguta, Hyderabad-500082

...RESPONDENT/COMPLAINANTS

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 DVC. No. 185 of 2022 on the file of IV Metropolitan Magistrate, Hyderabad.

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 including appearance of the petitioner No.1, 2 & 3/ Respondents No.2, 3 & 4/ Respondent No.2, 3 & 4 in pursuance of D.V.C.No. 185 of 2022 on the file of IV Metropolitan / Magistrate, Hyderabad.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Chandra Mohan Dube, Advocate for the Petitioners and 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.11855 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-respondent Nos.2 to 4 to quash the proceedings against them in DVC No.185 of 2022 pending on the file of learned IV Metropolitan Magistrate, Hyderabad. The offences alleged against them are under Section 12 of the Protection of women from the domestic violence Act.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent – State. Perused the record.

3. Learned counsel for the petitioners confines his prayer to dispense with the attendance of the petitioners herein – respondent Nos.2 to 4.

4. Thus, having regard to the facts and circumstances of the case, the attendance of the petitioners herein – respondent Nos.2 to 4 is dispensed with in DVC No.185 of 2022 pending on the file of learned IV Metropolitan Magistrate, Hyderabad, when represented by their counsel on record. The attendance of the petitioners-respondent Nos.2 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.

Sd/- N.CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The IV Metropolitan Magistrate, Hyderabad.
2. The Station House Officer, Women Police Station, Panjagutta, Hyderabad.
3. Two copies to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. (OUT)
4. One CC to SRI CHANDRA MOHAN DUBE, Advocate [OPUC]
5. Two CD Copies.

BSK

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HIGH COURT

DATED:30/12/2022

ORDER

CRLP.No.11355 of 2022



DISPOSING THE CRIMINAL PETITION

8 copies
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18/1/23