

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

**THURSDAY, THE FIRST DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY TWO**

**PRESENT
THE HONOURABLE SRI JUSTICE K.SURENDER**

CRIMINAL PETITION NO: 11738 OF 2013

Between:

1. D.Bheemaiah, S/o late D.Tirupathaiah,
2. Smt D.Manikya Bai, W/o D.Bheemaiah,

...PETITIONERS/ACCUSED NOS.2 & 3

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court for the State of Telangana at Hyderabad.
2. Smt D.Sunitha Kumari, W/o D.Venkateshwar, R/o. H.No.2-2-313/1, Burju Galli, Amberpet, Hyderabad.

...RESPONDENTS

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 CC.No.396 of 2011 on the file of IV Additional Chief Metropolitan Magistrate at Hyderabad.

CRLPMP. NO: 10491 OF 2013

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 CC.No.396 of 2011 on the file of IV Additional Chief Metropolitan Magistrate at Hyderabad, including appearance of the petitioners.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri M.S.S.Reddy, Advocate for the Petitioners and of the Additional Public Prosecutor on behalf of the Respondent No.1 and of Sri N.Ramappa, Advocate for the Respondent No.2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No. 11738 OF 2013****ORDER:**

This Criminal Petition is filed by the petitioners/Accused Nos.2 and 3 under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') seeking to quash the proceedings in C.C.No.396 of 2011 pending on the file of IV Additional Chief Metropolitan Magistrate at Hyderabad which arose out of Crime No.179 of 2011 of Amberpet Police Station, Malakpet Division. The petitioners herein are arrayed as Accused Nos.2 and 3 in the said case. The offences alleged against them are under Section 498A of Indian Penal Code and Sections 3 and 4 of Dowry Prohibition Act.

2. Heard. Perused the record.

3. Learned counsel for the respondent No.2 submits that the trial has already been commenced in the lower Court and the 2nd respondent was already examined as PW1 and it is coming up for cross examination of 2nd respondent.

4. As seen from the proceeding sheet no stay is granted by this Court. The petitioners are Accused Nos.2 and 3 who are aged more than 70 years.

5. In the said circumstances, the trial has already been commenced in the lower Court this Court deems it appropriate to dispose off the present application by dispensing with the attendance of these petitioners before the concerned Court. The concerned Court shall not insist upon the appearance of these petitioners till completion of trial unless specifically required. The petitioners shall appear before the concerned Court as and when directed by the concerned Court. In the event of the petitioners not attending the concerned Court inspite of the directions of the concerned Court, the order shall stand vacated.

Miscellaneous Petitions, pending if any, shall stand closed.

//TRUE COPY//

Sd/-T.JAYASREE
ASSISTANT REGISTRAR

SECTION OFFICER

To

1. The IV Additional Chief Metropolitan Magistrate, at Hyderabad.
2. The Station House Officer, Amberpet Police Station, Hyderabad.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
4. One CC to Sri M.S.S.Reddy, Advocate [OPUC]
5. One CC to Sri N.Ramappa, Advocate [OPUC]
6. Two CD Copies
7. One Spare Copy

Kj.

HIGH COURT

DATED:01/09/2022

ORDER

CRLP.No.11738 of 2013



DISPOSING OF THE CRL.P.

ATM
26/10/2022