

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

TUESDAY, THE THIRD DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 36 OF 2023

Between:

1. Pallepu Venkatamma,, W/o. Kankaiah, Age. 50 years, Occ. Labour, Caste. Waddera, R/o. 6-93, Gatlanarisngapur, Beemdevarapally Mandal of Hanamkonda. Cell.8897011068
2. Pallepu Kannakaiah,, S/o. Mallaiah, Age. 62 Years, Occ. Labour, Caste . Waddera, R/o.6-93, Gatlanarsingapuram, Beemdevarapally Mandal of Hanamkonda.

...Petitioner/Accused No.2 & 3

AND

1. The state of Telangana, Represented by its Public Prosecutor, High Court of Judicature, Hyderabad.
2. Smt. Pallapu Chamanthi, W/o. Ganesh, Age. 26 Years, Caste. Waddera, Occ. Housewife, R/o. Nagendra Nagar, Julywada, Subedari, Hanumakonda-7995412814.

...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 C.C.No.1369/2022 (Crime No.79/2022 registered by the police officials WPS, Hanamkonda.

I.A. NO: 2 OF 2023

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 personal appearance of the petitioners in C.C.No.1369/2022 (Crime No.79/2022 registered by the police officials WPS, Hanamkonda.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri N. PRASANNA KUMAR, 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.36 OF 2023****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.2 and 3 to quash the proceedings against them in C.C.No.1369 of 2022 pending on the file of V Additional Judicial First Class Magistrate at Warangal. The offences alleged against them are under Sections 498-A and 506 of Indian Penal Code (for short "IPC") and Sections 3 and 4 of Dowry Prohibition Act (for short "DP Act").

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

3. On perusal of the record, the disputes arose out of marital discord in between the *de facto* complainant and the Accused No.1.

4. Though the petitioners have raised several grounds to quash the proceedings in the aforesaid case, learned counsel for the

petitioners requested this Court to dispense with the appearance of the petitioners, in the aforesaid case before the trial Court.

5. Keeping in view that the petitioners are aged persons and considering the aforesaid submission of the learned counsel for the petitioners, this Criminal Petition is disposed off with the following directions:

- i) The attendance of the petitioners – Accused Nos.2 and 3 is dispensed with in C.C.No.1369 of 2022 pending on the file of V Additional Judicial First Class Magistrate at Warangal, when represented by their counsel on record.
- ii) The attendance of the petitioners is dispensed 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 shall not dispute their identity also.
- iii) 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 shall stand cancelled.

6. Needless to say, the petitioners are 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/- MOHD. SANAULLAH ANSARI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The V Additional Judicial First Class Magistrate at Warangal.
2. The Station House Officer, Women Police Station, Warangal.
3. Two CCs to Additional Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to SRI. N. PRASANNA KUMAR, Advocate [OPUC]
5. Two CD Copies

PSR 

HIGH COURT

KS,J

DATED:03/01/2023

ORDER

CRLP.No.36 of 2023



DISPOSING OF THE CRIMINAL PETITION.

⑦ VVV
23/1/23