

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

THURSDAY, THE FIFTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 138 OF 2023

Between:

1. Thouti Supraja @ Akkenapally Supraja, W/o.Thouti Naresh and D/o. Akkenapally Mahender, Aged about. 34 years, Occ. House Wife, R/o. 3-3-69, Kotagally, Varni Road, Near Vishwa Shanthi College, Nizamabad Presently residing with her Parents i.e. 2-1-247, Dubbawada, Metpally Town and Mandal, Jagityal District.
2. Akkenapally Bhanu, S/o. Akkenapally Mahender, Aged about 39 years, Occ. Pvt. Employee, R/o. 2-1-247, Dubbawada Village, Metpally Town and Mandal, Jagityal District.

...PETITIONER/ACCUSED Nos. 1 and 2

AND

1. The State of Telangana, Through The Public Prosecutor, High Court for the State of Telangana, At Hyderabad.
2. Thouti Naresh, S/o. Ashok, Aged about. 35 years Occupation. Gold Smith, R/o. 3-3-69, Kotagally, Varni Road, Near Vishwa Shanthi College, Nizamabad And also at S.NO. Gold Works, Gandhi Gunj, Balawardi Complex, Near Clock Tower, Nizamabad.

...RESPONDENTS/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 FIR No. 374 of 2022 of Police Station, Nizamabad IV Town, Nizamabad District

I.A. NO: 1 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 the arrest of the petitioners in pursuant to registration of FIR No. 374 of 2022 of Police Station, Nizamabad IV Town, Nizamabad District

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri M. VIGNESWAR REDDY ,Advocate for the Petitioners and the Assistant Public Prosecutor (TG) 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.138 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.1 and 2 seeking to quash the proceedings against them in FIR No.374 of 2022 pending on the file of Station House Officer, Nizamabad IV Town, Nizamabad District, registered for the offences punishable under Sections 323, 324, 447, 290, 506 and 378 of Indian Penal Code (for short 'IPC') and Section 156(3) of Cr.P.C.

2. Heard learned counsel for the petitioners-Accused Nos.1 and 2 and learned Additional Public Prosecutor for the respondent-State. Perused the material on record.

3. The 2nd respondent – *de facto* complainant is the husband of 1st petitioner. She lodged a complaint against the 2nd respondent for the offence under Section 498-A of IPC and the 2nd respondent filed a divorce petition and both the applications are pending. Thereafter, the present private complaint was filed alleging commission of theft, criminal trespass and also causing injury against these petitioners and another.

4. Since the disputes are in between the spouses, the Investigating Officer in respect of FIR No.374 of 2022 pending on the file of Station House Officer, Nizamabad IV Town, Nizamabad District, is directed to conclude the investigation without arresting the petitioners. Further, the petitioners shall co-operate with the Investigating Officer as and when required for the purpose of investigation.

5. Accordingly, the Criminal Petition is disposed off.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- N CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

Cap
SECTION OFFICER

To,

1. The I Additional Judicial First Class Magistrate at Nizamabad.
2. The Station House Officer, Nizamabad IV Town Police Station, Nizamabad
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad.(OUT)
4. One CC to SRI. M VIGNESWAR REDDY, Advocate [OPUC]
5. Two C.D. Copies

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HIGH COURT

DATED:05/01/2023

ORDER

CRLP.No.138 of 2023



DISPOSING OF THE CRLP

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30/1/23