

**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: 123 OF 2023

Between:

1. Rupani Yadamma, W/o. R. Linga Swamy. aged about 58 years, Occ Housewife, are R/o. Perepally Village, Chityal Mandal, Nalgonda. Telangana.
2. Rupani Linga Swamy, S/o late R Mallaiah. aged about 66 years. Occ Retd Govt. Employee. Both are R/o. Perepally Village, Chityal Mandal, Nalgonda. Telangana.

...PETITIONER/ACCUSED NO. 2 & 3

AND

1. The State of Telangana, Represented by Public Prosecutor, High Court. Hyderabad Through SHO, WPS Bhongir,
2. Roopani Sarala, W/o. Roopani Santosh, aged about 30 years. Occ Household, R/o. Fakkeergudem Village. Bommaramaram Mandal. Yadadri-Bhongir District.

...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 CC. No. 831 of 2020, on the File of the Judicial First Class Magistrate Cum Junior Civil Judge at Bhongir, Yadadri-Bhongir 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 trial, arrest and appearance of the petitioners in the CC. No. 831 of 2020, on the File of the Judicial First Class Magistrate Cum Junior Civil Judge at Bhongir, Yadadri-Bhongir District pending disposal of the Criminal Petition

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri G. ARVIND RAJ .Advocate for the Petitioner and the Additional 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.123 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.831 of 2020 pending on the file of Judicial First Class Magistrate cum Junior Civil Judge at Bhongir, Yadadri-Bhongir District. The offences alleged against them are under Sections 498-A, 406 and 506 of Indian Penal Code (for short "IPC") and Sections 3 and 4 of Dowry Prohibition Act.

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

3. Learned counsel for the petitioners confined his prayer to dispense with the personal appearance of the petitioners - Accused Nos.2 and 3 as they are aged about 58 and 66 years respectively, due to which it has become very difficult for them to appear before the court on each and every date of hearing.

4. Thus, having regard to the facts and circumstances of the case, the attendance of the petitioners – Accused Nos.2 and 3 is dispensed with in C.C.No.831 of 2020 pending on the file of Judicial First Class Magistrate cum Junior Civil Judge at Bhongir, Yadadri-Bhongir District, when represented by their counsel on record. The attendance of the petitioners is dispensed with subject to filing affidavits by them 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 his attendance would stand cancelled.

5. Accordingly, the Criminal Petition is disposed of. Needless to say, in the event of the petitioners 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/- K. VENKAIAH
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The Judicial First Class Magistrate Cum Junior Civil Judge at Bhongir, Yadadri-Bhongir District
2. The Station House Officer, Women Police Station, Bhongir, Bhongir Yadadri Bhongir District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad.(OUT)
4. One CC to SRI. G ARVIND RAJ, Advocate [OPUC]
5. Two CD Copies

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HIGH COURT

DATED:05/01/2023



ORDER

CRLP.No.123 of 2023

DISPOSING OF THE CRIMINAL PETITION.

87 Copies

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25/1/23