

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

**WEDNESDAY ,THE EIGHTEENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 481 OF 2023

Between:

1. Smt. Gogireddy Padma, W/o.Late Sagar Reddy, Aged about 65 years,Occ. House Wife, R/o.Bhavani Nagar, Near Water Tank, Hanamkonda, Telangana State
2. Smt. Chintamneedi Achyutamba, W/o. Nagamohan Rao, Aged about 40 years, Occ. Household. R/o. Flat No. 101, Deepika Residency, NGOs Colony, Hanamkonda, Telangana State.

...PETITIONERS/A-2 & A-3

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court of Telangana, Hyderabad.

...RESPONDENT No.1

2. G.Vanaja, W/o.Gogireddy Raghu @ Raghotham Reddy, A/a.45 years, Occ . House Wife, R/o.99/100, Mansani Colony, Jodimetla, Narepally, Venkatadri, Ghatkesar Mandal, Medchal- Malkajigiri District, Telangana State-88

...RESPONDENT No.2/DEFACTO COMPLAINANT

Petition under Section 437/438/439/482 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. 4217 of 2022 on the file of the Hon'ble V Additional Metropolitan Magistrate cum I Additional Junior Civil Judge, Medchal - Malkajigiri District at L.B.Nagar and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

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 grant stay of all further proceedings including the appearance of the petitioners in CC No. 4217 of 2022 on the file of the Hon'ble V Additional Metropolitan Magistrate cum I Additional Junior Civil Judge, Medchal - Malkajigiri District at L.B.Nagar for the alleged offences U/s. 323, 327, 498-A, 506 r/w 120(b) of IPC and sec. 3 and 4 of D.P Act, 1961 against Petitioner/accused No.2 and U/s/. 506 r/w 120(b) of IPC against the petitioner/accused No.3 pending disposal of the present Criminal Petition and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri A. Sanjeeva Reddy, 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.481 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.4217 of 2022 (arising out of Crime No.150 of 2022) pending on the file of V Additional Metropolitan Magistrate-cum-I Additional Junior Civil Judge, Medchal-Malkajgiri District at L.B.Nagar. The offences alleged against them are under Sections 323, 327, 498-A and 506 read with Section 120(b) 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-Accused Nos.2 and 3 are aged persons, 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.4217 of 2022 (arising out of Crime No.150 of 2022) pending on the file of V Additional Metropolitan Magistrate-cum-I Additional Junior Civil Judge, Medchal-Malkajgiri District at L.B.Nagar, 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/-A.V.S.PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The V Additional Metropolitan Magistrate -cum- I Additional Junior Civil Judge at Uppal, Malakjiri, Medchal District.
2. The Station House Officer, Ghatkesar Police Station, Rachakonda District.
3. One CC to Sri A. Sanjeeva Reddy, Advocate [OPUC]
4. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
5. Two CD Copies

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HIGH COURT

DATED: 18/01/2023



ORDER

CRL.P.No.481 of 2023

DISPOSING OF THE CRIMINAL PETITION

6 Copies

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13/2/23