

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

MONDAY, THE EIGHTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

CRIMINAL REVISION CASE NO: 77 OF 2019

Criminal Revision Case filed under Section 397 and 401 of CrPC against the Order dated 12-12-2018 made in CrI.M.P.No. 2426 of 2018 in PRC No.17/2018 on the file of the court of the IV Additional Junior Civil Judge - cum - XII Additional Metropolitan Magistrate at Cyberabad Kukatpally.

Between:

1. Edigi Satish Kumar, S/o E. Shekar Aged. 30 years old, Occ. Filed Officer in Nmbos Harbor Management facilities Services Pvt., Ltd., Madhpur, H.No.10-4-638/8, Pochamma Basti, Humayunagar, Mehidipatnam.
2. Venkidi Narendra, S/o. Gopal Aged. 28 years old, Occ. Plumber, R/o. Manikonda Quarters, Manikonda, Gandipetmandal, Rangareddy district.
3. Baduguleshrun Calvin @ Chanti, S/o.Joyn Kennedy Aged. 25 years old, Occ. Business, H.No.11-43, IDPL Colony, Opposite Sumithra Nagar, Balanagar, Hyderabad.
4. Jelli Rakesh, S/o. Ramulu, Aged. 22 years old, Occ. Pvt., Employee, Occ. H.No.11-76, IDPL Colony, Opposite Sumithra Nagar, Balanagar, Hyderabad.
5. Bidilla Standelysunil Rou @ Vicky, S/o. B.J. Alexjander, Aged. 20 years old, Occ. Student, Occ. H.No.11-41, IDPL Colony, Opposite Sumithra Nagar, Balanagar, Hyderabad.

...Petitioners/Accused Nos.1 to 5

AND

1. The State of Telangana, through Cyberabad Commissionerate, P.S Gachibowli, Hyderabad. Rep.by its Public Prosecutor, High Court at Hyderabad.

...Respondent/Complainant

2. Mr. Pramod Kumar Yadav, S/o. Ramndam, Aged. 39 years, Occ. Private Employee, R/o. Plot.No.403, Shrithel Blooms Apartment.

...Respondents/Defacto-Complainant

IA NO: 1 OF 2019

Petition under Section 482 Cr.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings in PRC No. 17 of 2018 including the appearance of the Accused till the disposal of the above CrI.R.C.

Counsel for the Petitioner : Sri CHAKALI SRIKANTH(NOT BEING PRESENT)

Counsel for the Respondent No.1: Sri VIZARATH ALI, ASST PUBLIC

PROSECUTOR

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE E. V. VENUGOPAL

CRIMINAL REVISION CASE No.77 OF 2019

ORDER:

This Criminal Revision Case is filed aggrieved by the order dated 12.12.2018 in CrI.M.P.No.2426 of 2018 in P.R.C.No.17 of 2018 on the file of the learned IV Additional Junior Civil Judge-cum-XII Additional Metropolitan Magistrate, Cyberabad, Kukatpally (for short, "the trial Court").

2. No representation on behalf of the petitioners. Heard Mr. Vizarath Ali, learned Assistant Public Prosecutor appearing for the respondent No.1 State.

3. The brief facts of the case are that the trial Court vide impugned order cited *supra* dismissed the application filed by the petitioners/accused Nos.1 to 5 seeking to discharge them for the offences punishable under Sections 341, 307 r/w 109 of I.P.C. stating that the cases were to be tried exclusively by the Court of Sessions and the provision to discharge the petitioners cannot be entertained before it. Assailing the same, the present Revision.

4. Learned counsel for the petitioners contented that the petitioners/accused Nos.2 to 5 belonged to Schedule Caste

community. As they belonged to weaker sections of the society the complainant, by taking advantage of the same, registered the false cases. Therefore, seeks to set aside the impugned order.

5. Learned Assistant Public Prosecutor submitted that this Court vide order dated 27.04.2022 in CrI.R.C (SR) No.3198 of 2022 held that as against an interlocutory order, a Revision under Section 397 of Criminal Procedure Code is not maintainable. Therefore, seeks to dismiss the Revision.

6. Having regard to the submissions made by both the learned counsel, this Court is not inclined to entertain the Criminal Revision Case at this stage, as the proceedings hereunder are covered by the order dated 27.04.2022 in CrI.R.C (SR) No.3198 of 2022 passed by this Court.

7. Accordingly, the Criminal Revision Case is dismissed. Needless to mention, the petitioner is at liberty to work out the remedies available under law.

Miscellaneous Petitions, pending if any, shall stand closed.

//TRUE COPY//

SD/- M.MANJULA
DEPUTY REGISTRAR



SECTION OFFICER

To,

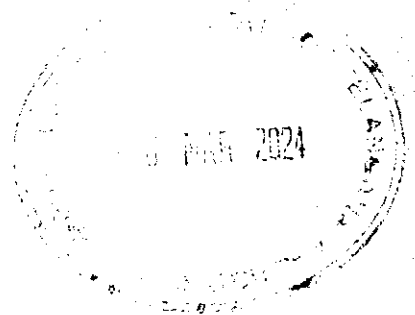
1. The IV Additional Junior Civil Judge - cum - XII Additional Metropolitan Magistrate at Cyberabad Kukatpally.
2. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana, Hyderabad.[OUT]
3. One CC to Sri CHAKALI SRIKANTH, Advocate [OPUC]
4. Two CD Copies
SP

HIGH COURT

DATED:18/12/2023

ORDER

CRLRC.No.77 of 2019



DISMISSING THE CRLRC

⑦ VLV
29/2/24