

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

**FRIDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 617 OF 2023

Between:

1. Balemla Madhu Kumar, S/o Late Mallaiah Aged about 35 years Occ Business, R/o Addaguduru Village and Mandal, Yadadri- Bhongiri District.
2. Balemla Murali Krishna, S/o Late Mallaiah Aged about 26 years, Occ Student, R/o Addaguduru Village and Mandal, Yadadri- Bhongiri District.
3. Balemla Yadhamma, W/o Late Mallaiah Aged about 50 years, Occ Housewife, R/o Addaguduru Village and Mandal, Yadadri- Bhongiri District.

...PETITIONERS/ACCUSED No.1,2 & 3

AND

1. The State of Telangana, Through P. S. , Motkur, Rep. by Public Prosecutor, High Court for Telangana State, Hyderabad.
2. Renuka Boda, D/o Boda Sailu, Aged about 36 years, Occ House Wife, R/o Addaguduru Village and Mandal, Yadadri- Bhongiri District.

...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 proceedings in Crime No. 212 of 2022, dated 22.12.2022 of PS Motkur, against the Petitioners/ Accused No. 1 to 3 by allowing this petition and pass such other order or orders as this Hon'ble Court may deem fit and proper.

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 arrest of the Petitioners/Accused No. 1 to 3 in Crime No. 212 of 2022, dated 22.12.2022 of PS Motkur, pending

disposal of the Criminal Petition and pass such other order or orders as this Hon'ble Court may deem fit and proper.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri S. Vijaya Prashanth, Advocate for the Petitioner and the Additional Public Prosecutor (TG) on behalf of the Respondent No.1.

The Court made the following: ORDER

HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.617 OF 2023

O R D E R:

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, 2 and 3 to quash the proceedings against them in FIR No.212 of 2022 pending on the file of Motkur Police Station, Rachakonda District, registered for the offences punishable under Sections 447, 427 read with Section 34 of Indian Penal Code (for short "IPC").

2. Heard learned counsel for the petitioners - Accused Nos.1, 2 and 3 and learned Additional Public Prosecutor for the respondent - State. Perused the material on record.

3. On the basis of a private complaint filed by the 2nd respondent - *de facto* complainant the present case was registered by Motkur Police Station.

4. As seen from the allegations in the complaint, there are claim and counter claims of ownership between the petitioners and respondent No.2 and the disputes are purely

civil in nature , for the said reason, this Court deems it appropriate to direct the Investigating Officer in FIR No.212 of 2022 pending on the file of Motkur Police Station, Rachakonda District, to conclude the investigation without taking any coercive steps against the petitioners - Accused Nos.1, 2 and 3. Further, the petitioners - Accused Nos.1, 2 and 3 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.

//TRUE COPY//

Sd/-R. KARTHIKEYAN
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Station House Officer, Motkur Police Station, Yadadri- Bhongiri District.
2. One CC to Sri S. Vijaya Prashanth, Advocate [OPUC]
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. Two CD Copies

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[Handwritten signature]

HIGH COURT

DATED: 20/01/2023



ORDER

CRL.P.No.617 of 2023

DISPOSING OF THE CRIMINAL PETITION

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9/2/23
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