

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

FRIDAY, THE TWENTY SEVENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 816 OF 2023

Between:

1. Gunaganti Yadamma, W/o. G. Janaiah, Aged about 68 Years, Occ. Housewife, R/o.H.No.5-9-397/398, Opp. Axa Masjid, Manyam Chelka, Nalgonda Town Nalgonda District.
2. Gunaganti Janaiah, S/o. G. Sayanana, Aged about 74 Years, Occ. Retd. Health Assistant, Medical Dept., R/o.H.No.5-9-397/398, Opp. Axa Masjid, Manyam Chelka, Nalgonda Town Nalgonda District.
3. Madagoni Sridevi, W/o. M. Vasudev, Aged about 42 Years, Occ. Housewife, R/o. 5-7-219/2, Raj Nagar, Nalgonda Town, Nalgonda District.
4. Bathini Kavitha, W/o. B. Venkanna, Aged about 38 Years, Occ. Housewife, R/o.H.No.1-233, Thipparthi Mandal, Rajupeta, Nalgonda District.

...PETITIONERS/ ACCUSED No.2 to 5

AND

1. The State of Telangana, through Public Prosecutor, High Court of Telangana, at Hyderabad, P.S. Saroornagar WPS, Rachakonda.
2. Madagoni Manjula, W/o. Gunaganti Venkat Laxman Goud, Aged about 37 years, Occ. Private Employee, R/o. H.No.11-14-386, RTC Colony, L.B. Nagar, Ranga Reddy District.

...RESPONDENT/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 all the further proceedings in C.C.3555/2022 on the file of V Additional Metropolitan Magistrate, Cyberabad for the offences U/s.498-A, 506 IPC, Sec 3 & 4 DP Act in FIR No.217/2022 of P.S. Saroornagar WPS till pending disposal of the main CRL.P.

I.A. NO: 2 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 of all further proceedings including the appearance of Petitioners/Accused No.2 to 5 in C.C.3555/2022.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri PADALA PRAVIN KUMAR, Advocate for the Petitioners and of the Additional Public Prosecutor for the State of Telangana on behalf of the Respondent No.1 and None Appeared either in person or by Advocate for the Respondent No.2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.816 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 to 5 to quash the proceedings against them in C.C.No.3555 of 2022 (arising out of Crime No.217 of 2022) pending on the file of V Additional Metropolitan Magistrate, Cyberabad. The offences alleged against the petitioners are under Sections 498-A and 506 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. In view of the aforesaid submission of the learned counsel for the petitioners, this Criminal Petition is disposed off with the following directions:

- i) The attendance of the petitioners – Accused Nos.2 to 5 is dispensed with in C.C.No.3555 of 2022 (arising out of Crime No.217 of 2022) pending on the file of V Additional Metropolitan Magistrate, Cyberabad, 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/- MOHD. ISMAIL
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The V Additional Metropolitan Magistrate, Cyberabad.
2. The Station House Officer, Saroornagar Women Police Station, Rachakonda.
3. One CC to SRI. PADALA PRAVIN KUMAR, Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT]
5. Two CD Copies
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BSR

HIGH COURT

DATED:27/01/2023



ORDER

CRL.P.No.816 of 2023

**DISPOSING OF THE CRLP
WITHOUT COSTS**

8
16/02/23
BSR