

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

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

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 802 OF 2023

Between:

1. Busanelli Venkat Reddy, S/o. B. Mahender Reddy, Aged about 39 years, Occ. IT Manager, R/o. Villa 1023, Krinss Villas, Mallikharjuna Krinss, Puppalaguda, Hyderabad - 500089.
2. K. Sree Divya Reddy, W/o. Busanelli Venkat ReddyV Aged about 39 years, Occ. House Wile, R/o. Villa 1023, Krinss Villas, Mallikharjuna Krinss, Puppalaguda, Hyderabad - 500089.

...PETITIONERS/ACCUSED No.1 & 2

AND

1. The State of Telangana, The Station House Officer, Narsingi Police Station, Gandipet, Narsingi, Telangana - 500075, Rep by its Public Prosecutor, High Court for the State of Telangana

...RESPONDENT

2. C. Venkateshwarlu, S/o. Not known the Petitioners, R/o. Villa No. 54, Lisa Grove Villas, Opp. Opp. Jayabheri The Peak, Narsingi, Telangana - 500075.

...RESPONDENT/COMPLAINANTS

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 Chargesheet dated 27.10.2022 on the file of XIII Addl. Metropolitan Magistrate, Cyberabad at Rajendranagar in C.C. No.2705 of 2022 under Sec. 447, 504, 506 r/w 34 IPC in respect of Petitioners 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 stay all further proceedings in Chargesheet dated 27.10.2022 on the file of XIII Addl. Metropolitan Magistrate, Cyberabad at Rajendranagar in C.C.No.2705 of 2022 under Sec. 447, 504, 506 r/w 34 IPC pending disposal of the above 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 K. Pratik 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.802 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.1 and 2 to quash the proceedings against them in C.C.No.2705 of 2022 pending on the file of XIII Additional Metropolitan Magistrate, Cyberabad at Rajendranagar. The offences alleged against them are under Sections 447, 504 and 506 read with 34 of Indian Penal Code (for short "IPC").

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent No.1 – State. Perused the record.

3. 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.

4. Considering the submission of learned counsel for the petitioners, Criminal Petition is disposed off with the following directions:

i) The attendance of the petitioners – Accused Nos.1 and 2 is dispensed with in C.C.No.2705 of 2022 pending on the file of XIII Additional Metropolitan Magistrate, Cyberabad at Rajendranagar, when represented by their counsel on record.

ii) The attendance of the petitioners is dispensed subject to filing affidavits 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 failure of petitioners to appear when the Court directs, this order dispensing their attendance shall stand cancelled.

5. 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.

//TRUE COPY//

Sd/-K.AMMAJI
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The XIII Additional Metropolitan Magistrate, Cyberabad at Rajendranagar.
2. The Station House Officer, P.S. Narsingi, Gandipet, Narsingi.
3. One CC to Sri K. Pratik Reddy, Advocate [OPUC]
4. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
5. Two CD Copies

gbr



HIGH COURT

DATED: 25/01/2023



ORDER

CRL.P.No.802 of 2023

DISPOSING OF THE CRIMINAL PETITION

⑧
Pr
24/2/23