

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

**WEDNESDAY, THE FIRST DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 1023 OF 2023

Between:

1. Budida Ramulu, S/o Balaiah, aged about 61 years, Occ. Agriculture, R/o H.No. 1-4-165/9, Retrit Colony, Fathe Balaiah Nagar, Old Alwal Medchal District.
2. Smt. Budida Andalu, W/o Ramlu, aged about 56 years, Occ. Housewife, R/o H.No.1-4-165/9, Retrit Colony, Fathe Balaiah Nagar, Old Alwal Medchal District.
3. Smt. Gundlapalli Swapna, W/o Jaihind, aged about 36 years, Occ. Housewife, R/o H.No.1-4-165/9, Retrit Colony, Fathe Balaiah Nagar, Old Alwal Medchal District.
4. Smt. Chebarthi Saritha, W/o Chandra Shekar, aged About 35 years, Occ. Housewife.
All are R/o. H.No. 1-4-165/9, Retrit Colony, Fathe Balaiah Nagar, Old Alwal Medchal District.

...PETITIONERS/ACCUSED Nos.1 TO 4

AND

1. The State of Telangana, through S.H.O., Markook Police Station, Siddipet District, Rep. By its Public Prosecutor, High Court, Hyderabad.
2. Budida Chandramouli Goud, S/o Late Balaiah, Aged about 57 years, Occ. Toddy Shop, R/o. H.No. 8-3-228/513A, Yousufguda Rahmathnagar, Hyderabad.

...RESPONDENTS/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 call for the records relating to the charge sheet in C.C.No. 895 of 2019 on the file of the Addl. Judicial First Class Magistrate at Gajwel, and quash the proceedings thereon.

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 C.C.No. 895 of 2019 on the file of the Addl. Judicial First Class Magistrate at Gajwel, pending disposal of the Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri MOHAMMED RIYAZ ANSARI, Advocate for the Petitioners and the Public Prosecutor (TG) on behalf of the Respondent No.1 and of NONE APPEARED for the Respondent No.2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.1023 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 to 4 seeking to quash the proceedings against them in C.C.No.895 of 2019 pending on the file of Additional Judicial Magistrate of First Class, Gajwel. The offences alleged against him are under Sections 447 and 427 R/w 34 of Indian Penal Code.

2. Heard learned counsel for the petitioners - Accused Nos.1 to 4 and learned Additional Public Prosecutor for the respondent - State. Perused the record.

3. Learned counsel for the petitioners confined his prayer to dispense with the personal appearance of petitioners - Accused Nos.2 to 4.

4. Considering the submission of learned counsel for the petitioners, the attendance of the petitioners - Accused Nos.2 to 4 is dispensed with in C.C.No.895 of 2019 pending on the file of Additional Judicial Magistrate of First Class, Gajwel, when

represented by their counsel on record. The attendance of the petitioners – Accused Nos.2 to 4 is dispensed with 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. However, the petitioner shall appear before the learned Magistrate as and when their presence is required. In the event of failure of the petitioner to appear when the Court directs, this order dispensing their attendance shall stand cancelled.

5. Accordingly, the Criminal Petition is disposed of. Needless to say, in the event of the petitioner filing an application under seeking discharge, the concerned Court shall dispose it on merits within a period of four (04) weeks.

Miscellaneous applications pending, if any, shall stand closed.

**SD/- MOHD. SANAULLAH ANSARI
ASSISTANT REGISTRAR**

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SECTION OFFICER

To

1. The Addl. Judicial First Class Magistrate, Gajwel District.
2. The Station House Officer, Markook Police Station, Markook Siddipet district.
3. One CC to SRI MOHAMMED RIYAZ ANSARI, Advocate [OPUC]
4. Two CCs to THE PUBLIC PROSECUTOR, High Court for the State of Telangana, at Hyderabad. [OUT]
5. Two CD Copies

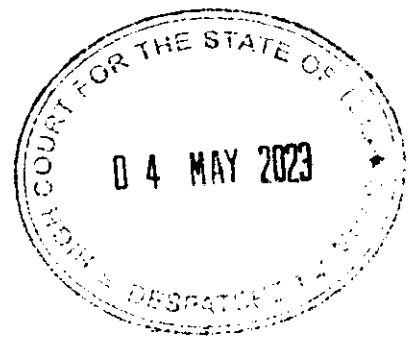
 PSK.

HIGH COURT

DATED:01/02/2023

ORDER

CRLP.No.1023 of 2023



DISPOSING OF THE CRIMINAL PETITION
WITHOUT COSTS.

OK
19/1 OK

(8)