

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

THURSDAY, THE SECOND DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE
PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 1072 OF 2023

Between:

1. P.Venkanna Babu, S/o P. Subba Rao, Aged 38 years, Occ: Business, R/o H.No. 7-17-B/11-A, Sri Sai Nagar, Beside Vijayanthi Cinema Lane, Nacharam, Hyderabad.
2. V.Naga Malleshwara Rao., S/o. Satyanaryana. Aged 42 years, Occ: Business, R/o H.No. 1-3-375, Talla Basthi, Kavadiiguda, Hyderabad

...Petitioner/Accused Nos. 1 and 2

AND

1. The State of Telangana, Represented by its Public Prosecutor, High court for the state of Telangana, Hyderabad.
2. P. Bheemudu., S/o. P.Chinnaiah, Aged 41 years, Occ: Manging partner M/s. Venkata Mani Sai Power lines, R/o Flat No. 402, Sri Harsha Residency, Street No. 6, Habsiguda, Hyderabad.

...Respondent

...Respondent/Defacto 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 against the petitioners/ accused No. 1 and 2 in C.C.No. 1149 of 2022 on the file of Learned XIX Metropolitan Magistrate, at: Malkajgiri.

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 appearance of the petitioners/ accused No. 1 and 2 in C.C.No. 1149 of 2022 on the file of the XIX Metropolitan Magistrate, at: Malkajgiri, and pass such other order or orders

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri T. BALA MOHAN REDDY, Advocate for the Petitioner and the Additional Public Prosecutor 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.1072 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.1149 of 2022 pending on the file of XIX Metropolitan Magistrate at Malkajgiri. The offences alleged against the petitioners are under Sections 420, 468, 469, 408, 381 and 506 read with Section 34 of Indian Penal Code.

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. 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 appearance of the petitioner – Accused No.1 is dispensed with in C.C.No.1149 of 2022 pending on the file of XIX Metropolitan Magistrate at Malkajgiri, when represented by his counsel on record.
- ii) The appearance of the petitioner is dispensed subject to filing an affidavit stating that in his absence the proceedings conducted by his counsel will not be disputed by him in any manner and shall not dispute his identity also.
- iii) However, the petitioner shall appear before the learned Magistrate as and when his presence is required. In the event of the petitioner failure to appear when the Court directs, this order dispensing his appearance shall stand cancelled.
- iv) No such relief is granted as far as 2nd petitioner – Accused No.2 is concerned and he shall appear before the trial Court on every date of hearing without fail.

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.

Sd/- K. AMMAJI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XIX Additional Metropolitan Magistrate, at: Malkajgiri
2. The Station House Officer, Kusaiguda Police Station, Rachakonda Commissionerate
3. Two CCs to Additional Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to SRI. T. BALA MOHAN REDDY, Advocate [OPUC]
5. Two CD Copies

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HIGH COURT

KS, J

DATED: 02/02/2023

ORDER

CRLP.No.1072 of 2023



DISPOSING OF THE CRIMINAL PETITION.

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