

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

FRIDAY, THE THIRD DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 1144 OF 2023

Between:

1. M. Satyanarayana, S/o. M. Bhasker Rao, Aged about 62 years, Occ. Business, R/o. Flat No. E4, 4th floor, Mount Castle-II, Road No. 69, Nandagiri Hills, Hyderabad A-2
2. M. Ramani, W/o. M. Satyanarayana, Aged about 60 years, Occ. Housewife, R/o. Flat No. E4, 4th floor, Mount Castle-II, Road No. 69, Nandagiri Hills, Hyderabad. A-3

...Petitioners/Accused

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court for the State of Telangana at Hyderabad
2. Priyanka, W/o. SaiManoj, Aged about 34 years, Occ. Housewife, R/o. Flat No. 406, Sita Symphony Shelters, Khajaguda, Gachibowli

...Respondent/ De facto 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.775/2022 of Jubilee Hills Police Station, Hyderabad District against the petitioners, in the interest of Justice

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 investigation including the arrest of the petitioners in Crime No.775/2022 of Jubilee Hills Police Station, Hyderabad District

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri C SHARAN REDDY Advocate for the Petitioner and the Assistant 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.1144 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 petitioner Nos.1 and 2 who are Accused Nos.2 and 3 to quash the proceedings against them in FIR No.775 of 2022 of Jubilee Hills Police Station at Hyderabad. The offences alleged against hem are under Sections 376 of Indian Penal Code (for short "IPC") and Section 5 read with 6 of POCSO Act.

2. Heard learned counsel for the petitioners – Accused Nos.2 and 3 and learned Assistant Public Prosecutor for the respondent – State. Perused the material on record.

3. The 2nd respondent filed a complaint sating that she was living separately from her husband who is accused No.1. The daughter of 2nd respondent is the victim herein. As per the direction of the Family Court, her daughter was staying with her father(Accused No.1) from Monday to Friday and for 2 days Saturday and Sunday with 2nd respondent. When the child was

staying with the 2nd respondent she complained abdominal pain and when taken to hospital, it was informed by the doctors that there was rupture and swelling in her private parts and advised her to take victim to government doctor. The 2nd respondent further states that these petitioners who are grandmother and grandfather used to console the victim stating that accused No.1 was her father when complained. Apart from the said statement, there is no allegation by the victim to infer that these petitioners are responsible for causing injury on the victim girl. Further, accused No.1 after being remanded to judicial custody was sent to Erragadda mental hospital for the purpose of ascertaining his mental status and evaluation of his mental condition.

4. In the said circumstances, this Court deems it appropriate to direct the Investigating Officer in FIR No.775 of 2022 of Jublee Hills Police Station at Hyderabad to conclude the investigation without taking any coercive steps against the petitioners No.1 and 2 who are accused Nos.2 and 3. Further, the petitioners – Accused Nos.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.

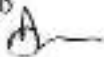
//TRUE COPY//

Sd/- M. MANJULA
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The XVII Additional Chief Metropolitan Magistrate at Nampally, Hyderabad.
2. The Station House Officer, Jubilee Hills Police Station, Hyderabad District
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad.(OUT)
4. One CC to SRI. C. SHARAN REDDY, Advocate [OPUC]
5. Two CD Copies

njb



HIGH COURT

KS,J

DATED:03/02/2023



ORDER

CRLP.No.1144 of 2023

DISPOSING OF THE CRIMINAL PETITION.

⑧
MA
7/2/23