

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

**MONDAY ,THE THIRTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 1470 OF 2023

Between:

Ganapuram Venkatesh, S/o Sathyanarayana, Aged 45 years, Occ. Lecturix,
R/o H.No. 14-267/1, Adarslmagar Aler village And Mandal,Yadadri-Bhongir
district

...PETITIONER/ACCUSED No.2

AND

1. The State of Telangana. Rep.by its Public Prosecutor, High Court of
Telangana At Hyderabad.

...RESPONDENT

2. Chimni Siddulul, S/o Yadagiri, aged 53 years Occ. Carpenter, R/o Aler village
and Mandal Yadadri-Bhongir district

...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 in C.C.No.545 of 2020 on the file of Judicial
First Class Magistrate at Aler Yadadri-Bhongir district against the petitioner
/Accused No.2.

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 appearance of the
petitioner/Accused No. 2 in C.C.No.545 of 2020 on the file of Judicial First Class

Magistrate at Aler Yadadri-Bhongir district pending disposal of the Quash petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of M/s. Harsheet Reddy Law Firm, 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.1470 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 - Accused No.2 to quash the proceedings against him in C.C.No.545 of 2020 pending on the file of Judicial First Class Magistrate at Aler, Yadadri-Bhongir District. The offences alleged against him are under Sections 324 and 504 of Indian Penal Code (for short "IPC").

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

3. Though the petitioner has raised several grounds to quash the proceedings in the aforesaid case, learned counsel for the petitioner requested this Court to dispense with the appearance of the petitioner as he is a disabled person, in the aforesaid case before the trial Court.

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

i) The attendance of the petitioner – Accused No.2 is dispensed with in C.C.No.545 of 2020 pending on the file of Judicial First Class Magistrate at Aler, Yadadri-Bhongir District, when represented by his counsel on record.

ii) The attendance of the petitioner is dispensed with subject to filing an affidavit by the petitioner 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 failure of the petitioner to appear when the Court directs, this order dispensing his attendance shall stand cancelled.

5. Needless to say, the petitioner is at liberty to file an application seeking discharge before the concerned Court. In the event of such application being made, if the charges are not

framed, the concerned Court shall dispose it off on merits, within a period of four weeks from the date of filing, after hearing arguments on both sides.

Miscellaneous applications pending, if any, shall stand closed.

SD/-N.CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Aler, Yadadri-Bhongir District.
 2. One CC to M/s. Harsheet Reddy Law Firm, Advocate [OPUC]
 3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
 4. Two CD Copies
- gbr

HVS

HIGH COURT

DATED: 13/02/2023

ORDER

CRL.P.No.1470 of 2023



DISPOSING OF THE CRIMINAL PETITION

⑦
13/2.3
Hvt