

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

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

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 1904 OF 2023

Between:

1. Pesala Sivakanth Reddy, S/o. Lakshmi Reddy, Aged about 36 years, Occ: Software Engineer, R/o Flat No. 211, Fenbreeze, Kadugudi, Bangalore. ...A-1
2. Pesala Lakshmi Reddy @ Laxma Reddy, S/o. Konda Reddy, Aged about 63 years, Occ: Agriculture, R/o. Yerraguddipally (v), Pulivendula (M), Kadapa District. ...A-2
3. Pesala Pramila, W/o. Laxma Reddy, Aged about 58 years, Occ: House wife, R/o. Yerraguddipally (v) Pulivendulu (M), Kadapa District. ...A-3
4. Saroja, W/o. Srinath Reddy, Aged about 39 years, Occ: Housewife, R/o. 175, Block No.5 Naveli, Tamilnadu. ...A-4
5. Sivaleela, W/o. Gangi Reddy, Aged about 37 years, Occ: House Wife, R/o. Mannekolla, Bangalore, Karnataka State. ...A-5

...Petitioner/Accused Nos. 1 to 5.

AND

1. The State of Telangana, Represented by its Public Prosecutor, High Court at Hyderabad
2. Smt. Bhargavi, W/o. Shivakanth Reddy, Aged about 29 years, Occ: Housewife, R/o.LIG-196, 7th Phase, Balanagar, Cyberabad, Telangana State

...Respondent/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 criminal proceedings in C.C.No.328 of 2017 in Crime No.1142/2016, of the PS. KPHB Colony, Cyberabad, on the file of the II AJCJ-CUM-X Additional Metropolitan Magistrate, Cyberabad At Kukatpally, for the offences Under Sec.498-A IPC, Sec.3,4 of D.P. Act against the Petitioners/Accused Nos.1 to 5 herein.

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 Nos. 1 to 5 herein in C.C.No.328 of 2017 in Crime No.1142/2016, of the PS. KPHB Colony, Cyberabad, on the file of the II AJCJ-CUM-X Additional Metropolitan Magistrate, Cyberabad At Kukatpally, for the offences Under Sec.498-A IPC, Sec.3,4 of D.P. Act.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri CHENNABOINA SHRAVANI, 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.1904 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 5 to quash the proceedings against them in C.C.No.328 of 2017 pending on the file of II Additional Junior Civil Judge cum X Additional Metropolitan Magistrate, Cyberabad at Kukatpally. The offences alleged against them are punishable under Sections 498-A of Indian Penal Code (for short "IPC") and Sections 3 and 4 of Dowry Prohibition Act.

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 - accused Nos.1 to 5, in the aforesaid case before the trial Court.

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

- i) The attendance of the petitioners – Accused Nos.2 to 5 is dispensed with in C.C.No.328 of 2017 pending on the file of II Additional Junior Civil Judge cum X Additional Metropolitan Magistrate, Cyberabad at Kukatpally, till the completion of process of trial, when represented by their counsel on record.
- ii) The attendance of the petitioners is dispensed with 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 the petitioners to appear when the Court directs, this order dispensing their attendance shall stand cancelled.
- iv) No such relief is given as far as petitioner – accused No.1 is concerned.

5. Further, the learned II Additional Junior Civil Judge cum X Additional Metropolitan Magistrate, Cyberabad at Kukatpally, is directed to complete the process of trial in C.C.No.328 of 2017, as expeditiously as possible, within a period of four (04) months, in accordance with law.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/- P. GOWRI SHANKAR
ASSISTANT REGISTRAR

610

SECTION OFFICER

To,

1. The II AJCJ-CUM-X Additional Metropolitan Magistrate, Cyberabad At Kukatpally
2. The Station House Officer, KPHB Police Station, Cyberabad.
3. Two CCs to Additional Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to SRI. CHENNABOINA SHRAVANI, Advocate [OPUC]
5. Two CD Copies

PSR

HIGH COURT

DATED:24/02/2023

ORDER

CRLP.No.1904 of 2023



DISPOSING OF THE CRIMINAL PETITION.

[Handwritten signature]
24/02/2023