

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

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

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 2169 OF 2023

Between:

1. Md. Yakub Pasha alias Noor Yakubmiya Mohammad, S/o. Naser, aged 39 years, Occ. Cooli.
 2. Md. Thalvar Alias Md. Thalvar Hussain, S/o. Nasir, aged 39 years, Occ. Cooli.
 3. Md. Agzar Alias Noor Asgar Hussain, S/o. Nasir, aged 33 years, Occ. Student.
 4. Md. Akthar alias Md. Noor Akthar, S/o. Nasar, aged about 32 years, Occ. Student.
- (All are R/o. Uppugal Village, Zaffeergadh Mandal, Warangal District).

...PETITIONER/A1 TO A4

AND

1. State of Telangana, rep.by the Public Prosecutor, High Court of Telangana, Hyderabad, Through SHO Parvathagiri PS, Warangal.
2. Mohd. Yakub, S/o. Afzal, aged about 73 years, Occ. Agriculture, R/o. H.No.1-143, Konkapaka Village, Parvathagiri Mandal, Warangal Rural District.
- 3.

...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 call for the records relating to and connected with S.C. No. 358 of 2022 on the file of Senior Civil Judge-cum- Assistant Sessions Judge at Warangal and quash the same in so far as petitioners/Accused 1 to 4 are concerned.

I.A. NO: 2 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 of all further proceedings in S.C. No. 358 of 2022 on the file of Senior Civil Judge-cum- Assistant Sessions Judge at Warangal including appearance of the petitioners/Accused 1 to 4 are concerned, pending disposal of the above Cr.P.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri LAXMAIAH KANCHANI, Advocate for the Petitioners and of the Additional Public Prosecutor for the State of Telangana on behalf of the Respondent No.2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.2169 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 to quash the proceedings against them in S.C.No.358 of 2022 pending on the file of III Additional Judicial First Class Magistrate at Warangal. The offences alleged against are under Sections 452, 307, 326 read with 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.1 to 4.

4. Considering the submission of learned counsel for the petitioners, except Accused No.1, the attendance of the petitioners - Accused Nos.2 to 4 is dispensed with in S.C.No.358 of 2022 pending on the file of III Additional Judicial First Class Magistrate at

Warangal, when represented by their counsel on record. 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. However, the petitioners shall appear before the learned Magistrate as and when their presence is required. In the event of failure of the petitioners 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 petitioners filing an application under Section 227 of Cr.P.C., seeking discharge, if the charges are not yet framed, the concerned Court shall dispose it off on merits within a period of four (04) weeks, from the date of filing after hearing arguments on both sides.

Miscellaneous applications pending, if any, shall stand closed.

SD/-T.JAYASREE
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Senior Civil Judge-cum- Assistant Sessions Judge, Warangal.
2. The SHO, P.S. Parvathagiri, Warangal
3. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT]
4. One CC to SRI. LAXMAIAH KANCHANI Advocate [OPUC]
5. Two CD Copies

LDS
Bok

HIGH COURT

DATED:02/03/2023

JUDGMENT

CRLP.No.2169 of 2023



CRL.P IS DISPOSED OF

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