

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

MONDAY, THE SIXTH DAY OF MARCH
TWO THOUSAND AND TWENTY THREE

**PRESENT
THE HONOURABLE SRI JUSTICE K.SURENDER**

CRIMINAL PETITION NO: 2269 OF 2023

Between:

1. Thogari Hanmandlu, S/o. Bhumaiah, aged about 71 years,
2. Thogari Venkatesh, S/o. Hanmandlu, aged about 38 years,
3. Thogari Swetha, W/o. Venkatesh, aged about 36 years, Occ Household,
All are R/o.H.No. 6-2-3, Subash Nagar, Vemulawada Town, Rajanna Siricilla District.

**...PETITIONERS/RESPONDENTS NO.2 TO 4
AND**

1. The State of Telangana, Through SHO, Vemulawada Town Police Station, Rajanna Siricilla District Rep by Public Prosecutor High Court, Hyderabad.
2. Thogari @ Akuthota Latha @ Ashwini, W/o. Thogari Karunakar, aged about 30 years, Occ Household
3. Thogari Hanshitha, D/o. Thogari Karunakar, aged about 11 years, Occ Student, Petitioner No. 3 are minors, Rep. by his natural-mother, Thogari @ Akuthota Latha @ Ashwini W/o Thogari Karunakar aged about 30 years Occ Household
all are R/o.H.No. 6-2-3, Subash Nagar, Vemulawada Town, Rajanna Siricillas District. Presently residing at Laxmidevipally V/o. Gangadhara Mandal, Karimnagar District.

...RESPONDENTS

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 the D.V.C.No. 142 of 2022 on the file of the Court of the Hon'ble Spl. J.M.F.C (PCR) At Karimnagar and quash the same and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

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 all further proceedings in D.V.C.No. 142 of 2022 on the file of the Court of the Hon'ble Spl. J.M.F.C (PCR) At Karimnagar, pending disposal of the

Criminal petition and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri P.DEVENDER, Advocate for the Petitioners and of the Additional Public Prosecutor for the State of Telangana on behalf of the Respondent No.1 and of None Appeared for the Respondent No.2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.2269 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 - respondent Nos.2 to 4 to quash the proceedings against them in D.V.C.No.142 of 2022 pending on the file of Special Judicial I Class Magistrate (PCR) at Karimnagar. The offence alleged against the petitioners is under Section 12 of Protection of Women from Domestic Violence Act, 2005.

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 – respondent Nos.2 to 4, 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 – respondent Nos.2 to 4 is dispensed with in D.V.C.No.142 of 2022 pending on the file of Special Judicial I Class Magistrate (PCR) at Karimnagar, 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.

Miscellaneous applications pending, if any, shall stand closed.

Sd/-P.PADMANABHA REDDY
ASSISTANT REGISTRAR

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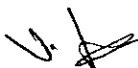


SECTION OFFICER

To

1. The Judicial First Class Magistrate, (PCR) at Karimnagar.
2. The Station House Officer, P.S., Vemulawada Town, Rajanna Sircilla District.
3. One CC to Sri P.Devender, Advocate [OPUC]
4. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
5. Two CD Copies

Kj.



HIGH COURT

DATED:06/03/2023

ORDER

CRLP.No.2269 of 2023



THE CRL.P. IS DISPOSED OFF.

⑧ VLV
19/4/23