

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

TUESDAY, THE FOURTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 2538 OF 2023

Between:

1. Vissa Satya Kumari, W/o. Samba Siva Rao, Aged about 56 Years, Occ. House wife, R/o. Rajamundry, 3rd Street, Shambu Nagar, East Godavari District, Andhra Pradesh.
2. Vissa Samba Siva Rao, S/o.Seshagiri Rao, Aged about. 61 years, Occ. Household, R/o. Rajamundry, 3rd Street, Shambu Nagar, East Godavari District, Andhra Pradesh.
3. Dakshayini, W/o. Kalyana Chakravarthy, age. 36 Yrs, Occ. Housewife, R/o. Opposite Old Masjid, Old Mangalagiri, Guntur District, Andhra Pradesh.
4. Vissa Krishna Kishore, S/o. Sambasiva Rao, age. 34 Yrs, Occ. Software Employee, R/o. Rajamundry, 3rd Street, Shambu Nagar, East Godavari District, Andhra Pradesh.

...PETITIONERS/ACCUSED No. 2 to 5

AND

1. The State of Telangana, rep. by the Public Prosecutor, High Court of Telangana, At Hyderabad.
2. Vissa Jhansi, W/o Seshagiri Rao, Aged about 40 years, Occ. Housewife, R/o. H.No. 1-1-21/30/1, Plot No.1, Ram Naresh Nagar,Hydernagar, KPHB Colony, Cyberabad, T.S.

...RESPONDENTS/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. 6128 of 2021 on the file of the V Addl.Junior Civil Judge-Cum-XV Addl.Metropolitan Magistrate,Medchal-Malkajgiri Dist. at Kukatpally, Hyderabad.

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 of all further proceedings including the personnel appearance of the petitioners in connection with the C.C. No. 6128 of 2021 on the file of the V Addl.Junior Civil Judge cum-XV Addl.Metropolitan Magistrate,Medchal-Malkajgiri Dist. at Kukatpally, Hyderabad.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri ANIRUDH SADHU ,Advocate for the Petitioners and the Additional Public Prosecutor on behalf of the Respondent No.1 and of None appeared Advocate for the Respondent No.2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.2538 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.2 to 5 to quash the proceedings against them in C.C.No.6128 of 2021 pending on the file of V Additional Junior Civil Judge cum XV Additional Metropolitan Magistrate, Medchal-Malkajgiri District at Kukatpally, Hyderabad. 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 has 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.2 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.6128 of 2021 pending on the file of V Additional Junior Civil Judge cum XV Additional Metropolitan Magistrate, Medchal-Malkajgiri District at Kukatpally, Hyderabad, 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.

5. Needless to say, the petitioners are 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/- MOHD. SANAULLAH ANSARI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The V Additional Junior Civil Judge Cum XV Additional Metropolitan Magistrate, Medchal – Malkajgiri District at Kukatpally, Hyderabad.
2. The Station House Officer, KPHB Police Station, Medchal District.
3. Two CC to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to Sri Anirudh Sadhu, Advocate [OPUC]
5. Two CD Copies

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HIGH COURT

KS, J

DATED:14/03/2023

ORDER

CRLP.No.2538 of 2023

CRIMINAL PETITION IS DISPOSED OFF

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