

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE SIXTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

Criminal Petition No. 2619 of 2023

Between:

Penumati Madhusudan, S/o.Gopalaiah, Aged 34 years, Occ. Student, R/o H.No.1- 38A, Macharlavaripalem (Village), Thotapalli, T.P Guduru, Nellore, Andhra Pradesh-524311 Presently Residing at Himapuri Colony, Mansoorabad, Hyderabad. Cell.No.9533000999

...Petitioner/ Accused No.1.

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court of Telangana at Hyderabad.
2. Kum. Pukkella Sowmya, , D/o Late P Rambabu, Aged about 34 years, Occ. Job Seeker, R/o 402, Swapna Vihar, Shilpahills, Near Kothaguda, Hi-tech City, Serilingampally, N/o H. No. 11-13, Sai Nagar 2, Kasinadhapuram, Sowmya Nivas, Toorangi, Kakinada (Rural), East Godavari District, Andhra Pradesh State 533016 Cell No. 9848455234, 8074849913. (De-facto Complainant)

...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 quash the proceedings against the Petitioner/ Accused No.1 in C. C. No. 3222 of 2021 on the file of the XII Addl. Metropolitan Magistrate at Kukatpally, R. R District, for the offences punishable u/s 417, 420, 354A, statement 354D, 506 IPC, in the interest of justice.

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 of the Petitioner/ Accused No.1 in C.C.No. 3222 of 2021 on the file of the XII

Addl. Metropolitan Magistrate at Kukatpally, R. R District, for the offences punishable u/ss. 417, 420, 354A, 354D, 506 IPC, pending disposal of the above Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Shaik Karimulla, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No.1 and of the Respondent No. 2 not appearing in person or through her counsel.

The Court made the following: **ORDER**

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.2619 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.1 to quash the proceedings against him in C.C.No.3222 of 2021 pending on the file of XII Additional Metropolitan Magistrate, Ranga Reddy district at Kukatpally. The offences alleged against him are under Sections 417, 420, 354-A, 354-D and 506 of Indian Penal Code.

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

3. Respondent No.2 filed a complaint stating that this petitioner had come into contact with her on "Better Half Matrimony" site and stated that he was not married and they had sexual intercourse. Later she came to know that he was already married. Basing on the above, she sought to investigate the crime. It is stated by the respondent No.2 that she was threatened and black mailed.

However, the learned Senior Counsel submits that such video or audio have not been produced and the evidence of the witnesses were not recorded by either audio or video.

4. *Prima Facie*, the ingredients of Sections 420 and 354-A of I.P.C are made out, therefore, this Court is not inclined to quash the proceedings. However, the trial Court shall draw its own conclusion on the basis of the evidence adduced, in the course of trial, without being influenced by this Order.

5. Accordingly, criminal petition is dismissed.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- P. CH. NAGABHUSHAMBA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XII Addl. Metropolitan Magistrate at Kukatpally, R. R District
2. The Station House Officer, Madhapur Police Station, Cyberabad.
3. One CC to Sri Shaik Karimulla, Advocate [OPUC]
4. One CC to the Public Prosecutor, High Court Buildings, Hyderabad (OUT).
5. Two CD Copies.

JCK
NJB



HIGH COURT

KS,J

DATED:16/03/2023

ORDER

CRLP.No.2619 of 2023



Dismissing the Criminal Petition.

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MMA
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DT 8/4/2023