

**IN THE 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: 2734 OF 2023

Between:

Gatla Srikanth, S/o Gatla Srinivas Aged 34 years, Occ Pvt Empolyee, R/o . H.NO
2-4-175, Near vaishya Bhavan, Rambazar, Jagital town , Jagtial District-5053277
Presently R/o . Flat 29 , wellington Manor, United Kingdom, LUTON-LUFD.
...PETITIONER/ACCUSED

AND

1. The State of Telangana, Represented by its public Prosecutor, High Court judicature at Hyderabad.
2. Smt. Bommadeni Prathyusha alias G. Prathyusha, W/o Gatla Srikanth, Occ. Software Professional, Age- 26 years, Address. H.No. 21-3-257, Moosa Bowl, Petla Burj , Charminar, Hyderabad -500064.

...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 D.V.O No. 443 OF 2022 on the file of the III Metropolitan magistrate at Hyderabad against the Petitioner /Respondent R-1 registered U/sec. 12 of protection of women from Domestic Violence Act, 2005

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 including presence of the Petitioners in proceedings in D.V.C. No. 443 OF 2022 on the file of the III Metropolitan Magistrate at Hyderabad again the petitioners Petitioner/Respondent R-1 . Registered U/sec. 12 of protection of women from Domestic Violence Act, 2005.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri RAKESH JANGEM, Advocate for the Petitioner and the Additional Public Prosecutor on behalf of the Respondent No1. and of None appeared for the Respondent No.2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.2734 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 to quash the proceedings against them in D.V.C.No.443 of 2022 pending on the file of III Metropolitan Magistrate at Hyderabad. The offences alleged against him is under Section 12 of Protection of Women from Domestic Violence Act, 2005.

2. Heard learned counsel for the petitioner - Accused and learned Additional Public Prosecutor for the respondent – State. Perused the record.

3. Learned counsel for the petitioner confined his prayer to dispense with the personal appearance of petitioner.

4. Considering the submission of learned counsel for the petitioners, the attendance of the petitioner – Accused is dispensed with in D.V.C.No.443 of 2022 pending on the file of III Metropolitan Magistrate at Hyderabad, when represented by his counsel on record. The attendance of the petitioner is dispensed with subject

to filing affidavit by the petitioner stating that in his absence the proceedings conducted by his counsel will not be disputed by him in any manner and shall not dispute his identity also. However, the petitioner shall appear before the learned Magistrate as and when his presence is required. In the event of failure of the petitioner to appear when the Court directs, this order dispensing his attendance shall stand cancelled.

5. Accordingly, the Criminal Petition is disposed of. Needless to say, in the event of the petitioner filing an application seeking discharge, if the charges are not yet framed, the concerned Court shall dispose it of 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/- MOHAMMED ISMAIL
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XIII Additional Chief Metropolitan Magistrate at Nampally, Hyderabad.
2. The Station House Officer, Women Police Station, Hyderabad.
3. Two CC to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to Sri Rakesh Jangem , Advocate [OPUC]
5. Two CD Copies

BJLB

NJB

HIGH COURT

KS, J

DATED:18/03/2023



ORDER

CRLP.No.2734 of 2023

CRIMINAL PETITION IS DISPOSED OFF

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VUS
18/4/23