

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

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

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 2831 OF 2023

Between:

1. Kodali Leela Koteswara Rao, S/o. Hari Prasad, aged about 70 years, Occ. Agriculture R/o. 21/636, Parasupeta, Machilipatnam, Krishna District. Andhra Pradesh. (A-3)
2. Kodali Dhana Lakshmi, W/o. Late Koteswara Rao, Aged about 65 years, Occ. Housewife, R/o. 21/636, Parasupeta, Machilipatnam, Krishna District. Andhra Pradesh. (A-4)

...PETITIONER/ACCUSED

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court for the State of Telangana at Hyderabad.
2. Smt. Yedla Laxmi Sampurna, W/o. Yedla Venkateshwar Rao, Aged about 42 years, Occ. Housewife, R/o. 9/658, Balaramunipeta, Machilipatnam Krishna District. Presently R/o. Kasabgalli, Nizamabad - 503001.

...RESPONDENT/COMPLAINANTS

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 Crime No. 28/2023 of Nizamabad II - Town Police Station, Nizamabad District against the petitioners

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 investigation including the arrest of the petitioners in Crime No. 28/2023 of Nizamabad II -Town Police Station, Nizamabad District

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

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.2831 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.3 and 4 to quash the proceedings against them in respect of FIR No.28 of 2023 pending on the file of Station House Officer, Nizamabad II Town Police Station, Nizamabad District, filed for the offences punishable under Sections 420, 506 and 354-D read with Section 34 of Indian Penal Code (for short "IPC").

2. Heard learned counsel for the petitioners – accused Nos.3 and 4 and learned Additional Public Prosecutor for the respondent – State. Perused the material on record.

3. The 2nd respondent – *de facto* complainant filed a complaint stating that a loan of Rs.1,00,00,000/- was taken by accused No.1 who is the son of these petitioners – accused Nos.3 and 4. When the 2nd respondent asked the accused No.1 to return the said loan amount, accused No.1 refused to pay the amounts and entered into an altercation.

4. The main allegation against the 1st petitioner – accused No.3 is that he made a phone call to the husband of 2nd respondent and threatened him on phone.

5. Except the instances of threatening on phone, nothing is alleged against these petitioners and further keeping in view that these petitioners are aged about 70 and 65 years respectively, this Court deems it appropriate to direct the Investigating Officer in respect of FIR No.28 of 2023 of Nizamabad II Town Police Station, Nizamabad District, to conclude the investigation without taking any coercive steps against the petitioners – accused Nos.3 and 4. Further, the petitioners – accused Nos.3 to 4 shall co-operate with the Investigating Officer as and when required for the purpose of investigation.

6. Accordingly, the Criminal Petition is disposed off.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- V. KAVITHA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Station House Officer, Nizamabad II Town Police Station, Nizamabad District
2. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
3. One CC to Sri C. Sharan Reddy, Advocate [OPUC]
4. Two CD Copies

plp

kam

HIGH COURT

KS,J

DATED:20/03/2023

ORDER

CRLP.No.2831 of 2023



DISPOSING OF THE CRIMINAL PETITION

[Handwritten signature]
24/03/2023