

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

**TUESDAY ,THE TWENTY FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 2889 OF 2023

Between:

1. Sri V.Pradeep kumar, S/o. V.Malakondaiah, aged 33 years, Occ. Advocate, R/o. H.No.11-8-122,Vikas Nagar, Saroomnagar, R.R. District-500 035
2. Smt. Varakuti Obulamma, W/o V.Malakondaiah, aged 60 years, Occ. House-wife
3. Sri V.Malakondaiah, S/o Chinna Kondaiah aged 65 years, Occ. Retired employee Petitioner No.2 and 3 are R/o H.No. 3-66/52, Tharakarama Nagar, Subash nagar, Nizamabad.

...PETITIONERS/ACCUSED Nos. 1 to 3

AND

1. State of Telangana, Rep. by the Public Prosecutor, High Court at Hyderabad.
2. Smt. V. Vinodini, W/o V. Pradeep Kumar, age 31 years, Occ. Doctor R/o H. No. 4/2/112, SVS Colony, Anil Talkies Road, Bodhan, Nizamabad, Telangana State-503185 (OR) H.No. 8-3-949/1/1/A, F. No. 316, Sanali Heavens, Nagarujuna Nagar, Srinagar colony, Hyderabad-73.

...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 C.C. No. 217 of 2022 on the file the Honourable Judicial Magistrate of First Class at Bodhan and pass

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 grant stay of all further proceedings in C.C. No. 217 of 2022 on the file the Honourable Judicial Magistrate of First Class at Bodhan.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri G. SUBASH, Advocate for the Petitioner 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.2889 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.1 to 3 to quash the proceedings against them in C.C.No.217 of 2022 pending on the file of Judicial Magistrate of I Class at Bodhan. The offences alleged against them are punishable under Section 498-A read with Section 34 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 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 – accused Nos.1 to 3, 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 and 3 is dispensed with in C.C.No.217 of 2022 pending on the file of Judicial Magistrate of I Class at Bodhan, 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.
- iv) No such relief is given as far as petitioner – accused No.1 is concerned.

5. Further, in the event of the petitioner - accused No.1 filing an application under Section 205 of Cr.P.C., to be represented by a counsel, the same shall be considered by the Trial Court without hindrance to the trial.

6. 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/- N CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Honourable Judicial Magistrate of First Class at Bodhan, Nizamabad District.
2. The Station House Officer, Bodhan T Police Station, Nizamabad District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. (OUT)
4. One CC to Sri G. SUBASH, Advocate [OPUC]
5. Two CD Copies

Njb

pr

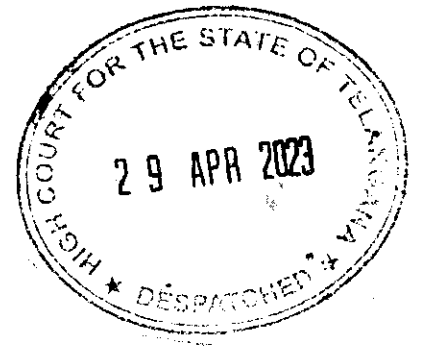


HIGH COURT

DATED:21/03/2023

ORDER

CRLP.No.2889 of 2023



DISPOSING OF

THE CRIMINAL PETITION.

⑧ Copies

Sm
15/4/23