

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

THURSDAY, THE THIRTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE
PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 3677 OF 2023

Between:

1. G. Chaitanya Krishna, , S/o G. Venu Gopal, Aged about 40 years, Occ. Business, R/o PlotNo.83, 84, Venu Colony, Gadwal, Jogulamba Gadwal District, Telangana.
2. G. Anil Kumar, S/o Jeeveswar, Aged about 43 years, Occ. Business, R/o H.No.7-2-100/1, Chinthdlapeta, Gadwal, Jogulamba Gadwal District, Telangana.

...PETITIONER/ACCUSED 2 and 3

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court, State of Telangana.
2. R. Suresh Babu, S/o R. Yesanna, Aged .Major, Occ. Home Guard -296 Working at Gadwal Town Police Station, Jogulamba Gadwal District.

...RESPONDENT/COMPLAINANTS

Petition under Section 437/438/439/482 R/w 457 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 CC No.812 of 2020 on the file of Addl. Judicial Magistrate of First Class, Gadwal, Jogulamba Gadwal District in so far as the Petitioners/A-2 and A-3.

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 appearance of the Petitioners/A-2 and A-3 in CC No.812 of 2020 on the file of Addl. Judicial Magistrate of First Class, Gadwal, Jogulamba Gadwal District.

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

The Court made the following ORDER:

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.3677 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 and 3 to quash the proceedings against them in C.C.No.812 of 2020 pending on the file of learned Additional Judicial Magistrate of I Class, Gadwal, Jogulamba Gadwal District. The offences alleged against them are punishable under Sections 332, 353, 427 and 504 of Indian Penal Code (for short "IPC").

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.2 and 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.812 of 2020 pending on the file of learned Additional Judicial Magistrate of I Class, Gadwal, Jogulamba Gadwal District, 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/- T. JAYASREE
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Addl. Judicial Magistrate of First Class, Gadwal, Jogulamba Gadwal District.
2. The Station House Officer, Gadwal Town, Jogulamba Gadwal District.
3. One CC to SRI. CH RAVINDER Advocate [OPUC]
4. One CC to PUBLIC PROSECUTOR, High Court for the State of Telangana, at Hyderabad [OPUC]
5. Two CD Copies

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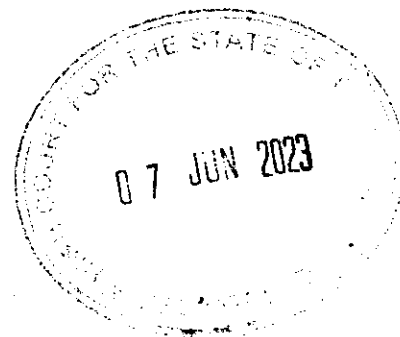
HIGH COURT

KSJ

DATED:13/04/2023

ORDER

CRLP.No.3677 of 2023



CRIMINAL PETITION IS DISPOSED OFF.

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MA
11/5/23