

**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: 3675 OF 2023

Between:

Sallam Prudhvi Teja, S/o, Kishan S, Aged about 26 years, Occ- Student, R/o.
H.No. 2-17, Naspur Village, Adilabad, Telangana- 504302

...PETITIONER/SOLE ACCUSED

AND

1. The State of Telangana, Station House Officer, Abdullapurmet, Represented through its Public Prosecutor, High Court for the State of Telangana at Hyderabad
2. Thota Srinivas, S/o Rajalingu, Aged about 38 years, Occ- Agriculture, R/o Alwal, Trimulgherry, Hyderabad

...RESPONDENTS/DEFACTO 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 call for the records in F.I.R. No.153 of 2023 before the Police Station Abdullapurmet, and quash the same against the Petitioner.

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 grant stay of all further proceedings including arrest of the petitioner pursuant to the No.153 of 2023 before the Police Station Abdullapurmet, Rachakonda.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri M. S. Achyuth Bharthwaj, Advocate for the Petitioner and the Additional Public Prosecutor (TG) on behalf of the Respondent No.1.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.3675 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 him in respect of FIR No.153 of 2023 pending on the file of Station House Officer, Abdullapurmet Police Station, Rachakonda. The offence alleged against the petitioner is punishable under Section 306 of the Indian Penal Code.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent No.1 – State.

3. The allegation against the petitioner is that he had taken the deceased who is a minor to a place and forced her to love him. However, when they went to Sanghi Temple, there it is alleged that this petitioner had brought poison bottle and acted as if he was drinking the poison. Due to fear and threat of the petitioner, the deceased had consumed poison in the bottle resulting in her death.

4. Learned counsel for the petitioner would submit that in fact this petitioner was treated in a hospital and discharge summary says that he has also consumed certain amount of poison.

5. In the said circumstances of the deceased being a minor and also the petitioner carrying poison bottle along with him and acting as if he would drink the poison would amount to abetment is subject matter of trial and the same cannot be decided in a quash application when the investigation is pending. Therefore, there are no grounds and the present criminal petition is liable to be dismissed.

6. Accordingly, the Criminal Petition is dismissed.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/-N.SRIHARI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The XIV Additional Metropolitan Magistrate, Rachakonda at Hyderabad.
 2. One CC to Sri M. S. Achyuth Bharthwaj, Advocate [OPUC]
 3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
 4. Two CD Copies
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HIGH COURT

DATED: 13/04/2023



ORDER

CRL.P.No.3675 of 2023

DISMISSING THE CRIMINAL PETITION

(7) VWJ
11/5/23