

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

THURSDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 3983 OF 2023

Between:

Smt. Gaddam Renuka, W/o. Jaykumar, aged 54 years, Occ. sweeper At OU
Campus, R/o. Navigation Department, OU Campus, Hyderabad

...PETITIONER/ACCUSED No.5

AND

1. The State of Telangana, Rep. by Public Prosecutor, High Court at Hyderabad
for the State of Telangana
2. Smt. Lakka Sarala, W/o. Lakka Gopal, Aged 31 years, Occ. House wife R/o.
H No. 19-197, Ambedkar Nagar, Dammaiguda, Kapra mandal, Medchal
District

...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 DVC No. 01 of 2022 on the file of the Court of the XXII
Metropolitan Magistrate at Medchal Court, Medchal District against the petitioner/
respondent No. 5.

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 proceedings in DVC no. 01 of 2022 on the file of the
court of the XXII Metropolitan Magistrate at Medchal the appearance of the
petitioner/ respondent No. 5.

This Petition coming on for hearing, upon perusing the Memorandum of
Grounds of Criminal Petition and upon hearing the arguments of Sri M. Ajay
Kumar, Advocate for the Petitioner and the Additional Public Prosecutor (TG) 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.3983 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 - respondent No.5 to quash the proceedings initiated against her in D.V.C.No.1 of 2022 pending on the file of learned XXIII Metropolitan Magistrate at Cyberabad, Medchal District, under Section 12 of Protection of Women from Domestic Violence Act, 2005.

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

3. Though the petitioner has raised several grounds to quash the proceedings in the aforesaid case, learned counsel for the petitioner requested this Court to dispense with the appearance of the petitioner - respondent No.5 as she is a woman aged 54 years, 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 petitioner – respondent No.5 is dispensed with in D.V.C.No.1 of 2022 pending on the file of learned XXIII Metropolitan Magistrate at Cyberabad, Medchal District, when represented by her counsel on record.
- ii) The attendance of the petitioner is dispensed with subject to filing an affidavit by the petitioner stating that in her absence the proceedings conducted by her counsel will not be disputed by her in any manner and shall not dispute her identity also.
- iii) However, the petitioner shall appear before the learned Magistrate as and when her presence is required. In the event of the failure of the petitioner to appear when the Court directs, this order dispensing her attendance shall stand cancelled.

Miscellaneous applications pending, if any, shall stand closed.

Sd/-V.KAVITHA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XXII Metropolitan Magistrate, Cyberabad.
2. The Station House Officer, Jawahar Nagar Police Station, Rachakonda Commissionerate.
3. One CC to Sri M. Ajay Kumar, Advocate [OPUC]
4. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
5. Two CD Copies

CHR

HIGH COURT

DATED: 20/04/2023

ORDER

CRL.P.No.3983 of 2023



DISPOSING OF THE CRIMINAL PETITION

⑧
CHA
15/05/23