

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

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

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 3403 OF 2020

Between:

Modugumudi Vani, Wife of M. Yogeshwara Rao, Aged about 55 years,
Occupation. Lecturer, Resident of Plot No.21, Balamrai, Avanthi Colony, Ward
No.2, Hyderabad, Telangana State.

...PETITIONER/DEFACTO-COMPLAINANT

AND

1. The State Of Telangana, Through Police Station Automobile Team, Central
Crime Station, Hyderabad. Represented by its Public Prosecutor

...RESPONDENT NO.1/COMPLAINANT

2. Kamsani Sai Venkat Reddy alias Chintu alias Chittibabu, Son of Krishna
Reddy, Aged about 29 years, Resident of Thammedapally village,
Bachannapet Mandal, Warangal District, Telangana State.

...RESPONDENT No.2/ACCUSED

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 by permitting to withdraw the case vide C.C.No.42 of 2013 on the file of the XII Additional Chief Metropolitan Magistrate Hyderabad and consequently direct the XII Additional Chief Metropolitan Magistrate, Hyderabad to release the Registration Certificate (RC Book) of the Vehicle bearing No.AP 10 AN 9523 along with Rs.1,00,000/- (Rupees One Lakh only) surety amount deposited in case C.C.No.42 of 2013 on the file of the XII Additional Chief Metropolitan Magistrate Hyderabad.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri T. Prasanna Kumar, Advocate for the Petitioner and 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.3403 OF 2020

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioner to quash the proceedings in C.C.No.42 of 2013 on the file of XII Additional Chief Metropolitan Magistrate, Hyderabad.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent -- State. Perused the record.
3. Learned counsel for the petitioner/Defacto-Complainant submits that aggrieved by the theft of car, a complaint was lodged. The trial Court while returning the car directed the petitioner to deposit an amount of Rs. 1,00,000/- (Rupees one lakh only). However, the case was kept pending as long pending case.
4. Since the petitioner is not interested to prosecute the case, no useful purpose would be served to keep the case pending before the Court which was instituted in the year 2012.

Accordingly proceedings in CC.No.42 of 2013 are hereby quashed.

5. In the event of the applications being made by the petitioner before the concerned Court, the said amount of Rs. 1 lakh cash and R.C book shall be returned to the petitioner subject to verification.

6. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- A.V.S. PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XII Additional Chief Metropolitan Magistrate, Hyderabad.
2. The Station House Officer, Automobile Team, Central Crime Station, Hyderabad.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
4. One CC to Sri T. Prasanna Kumar, Advocate [OPUC]
5. Two CD Copies

plp

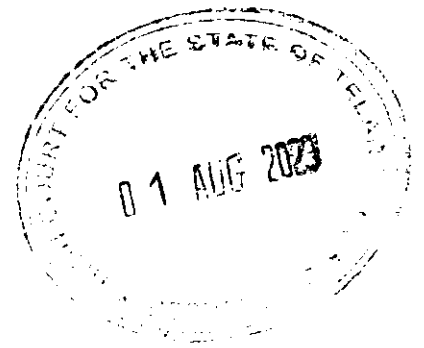


HIGH COURT

DATED:27/03/2023

ORDER

CRLP.No.3403 of 2020



ALLOWING THE CRL.P.

[Handwritten signature]
07/08/2023