

HIGH COURT FOR THE STATE OF TELANGANA

**TUESDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 4148 OF 2023

Between:

1. Sapavath Bhaskar, S/o Laxman, Aged 32 years, Occ. Govt. Teacher, R/o . Jeeyaguda, Hyderabad.
2. Sapavath Gomli, W/o Laxman, Aged 55 years, Occ . House Wife, R/o . Lingala Village and Mandal, Nagarkarnool District.
3. Sapvath Suresh, S/o Laxman, Aged . 27 Years, Occ . Auto Driver, R/o Khairathabad, Hyderabad.
4. Devsoth Thirupathi, W/o Narayana Singh, Aged 40 Years, Occ . Coolie, R/o Jeeyaguda, Hyderabad.

...PETITIONER/ACCUSED(S)

AND

1. The State of Telangana, Rep. by public prosecutor High court at Hyderabad.
2. Malothu Vasantha, D/o Mangya, Age . 28 years, Occ . House Wife, R/o . Hemachandrapuram Village, Laxmidevipalli Mandal.

...RESPONDENT/COMPLAINANTS

Petition under Section 437/438/439/482 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 against the petitioners A1 to A4 in C.C. No.2358 of 2022 pending on the file of the Honourable III Additional Judicial First Class Magistrate, at Kothagudem 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 including appearance of the petitioners A1 to A4 in C.C. No. 2358 of 2022 pending on the file of the Hon'ble III

Additional Judicial First Class Magistrate, at Kothagudem, pending disposal of the main quash proceedings in the interest of justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri M V HANUMANTHA RAO ,Advocate for the Petitioner and the 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.4148 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 No.1 to 4 herein to quash the proceedings against them in CC No.2358 of 2022 on the file of learned III Additional Judicial First Class Magistrate at Kothagudem. The offences alleged against them under Section 498(A) of IPC.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondents - State. Perused the record.

3. Learned counsel for the petitioners confined his prayer to dispense with the personal appearance of petitioners.

4. Considering the submission of learned counsel for the petitioners, the attendance of the petitioners No.2 to 4 herein are dispensed with in CC No.2358 of 2022 on the file of learned III Additional Judicial First Class Magistrate at Kothagudem, when represented by their counsel on record

and subject to filing an affidavit 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. However, the petitioners shall appear before the learned Magistrate as and when their presence is required. In the event of failure of the petitioners to appear when the Court directs, this order dispensing their attendance shall stand cancelled. No such relief is granted to petitioner No.1.

5. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- MOHD. ISMAIL
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The III Additional Judicial First Class Magistrate, at Kothagudem..
2. The SHO Laxmidevipalli P.S., Chunchupalli, Bhadradi Kothgudem..
3. One CC to SRI M.V.HANUMANTHA RAO, Advocate [OPUC]
4. Two CCs to THE PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT]
5. Two CD Copies

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HIGH COURT

DATED:25/04/2023

CRLP.No.4148 of 2023



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