

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

**MONDAY, THE TWENTY FOURTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE**

**PRESENT
THE HONOURABLE SRI JUSTICE K.SURENDER**

CRIMINAL PETITION NO: 4126 OF 2023

Between:

Neelam Jaya Laxmi,, W/o. Late Neelam Satya Narayana, Aged 78 years, Occ.
Housewife, R/o. 12-10-167/168, Uma Apartments, Behind Saibaba Temple,
Seethaphalmandi. Secunderabad (A2)

...PETITIONER/ACCUSED(S)

AND

1. The State of Telangana,, Rep. by its Public Prosecutor, High Court Buildings,
High Court. Hyderabad, Through SHO, WPS, Begumpet, Hyderabad.
2. Smt.Neelam Geetha,, W/o.Neelam Srinivas, Aged 43 years, Occ.Doctor,
(RMO) R/o. 12-10-167/168, Uma Apartments, Behind Saibaba Temple,
Seethaphalmandi, Secunderabad.

...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 proceedings against the Petitioner/Accused No 2 in
CC.No.282 of 2022 on the file of Hon'ble XV Additional Chief Metropolitan
Magistrate at Hyderabad City and pass such other order or orders

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 be pleased to stay for all further proceedings including appearance of
the Petitioner/Accused No 2 in CC.No.282 of 2022 on the file of Hon'ble XV
Additional Chief Metropolitan Magistrate at Hyderabad City, pending disposal of
the same and pass such other order or orders may deem fit and proper in the
circumstances of the case.

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 pleased to dispense with filing of certified copy of charge sheet in
CC.No.282 of 2022 on the file of Hon'ble XV Additional Chief Metropolitan

Magistrate at Hyderabad City, and pass such other order or orders which are deemed fit and proper in the circumstances of the case.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri NAGESHWAR RAO PUJARI, 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.4126 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 No.2 to quash the proceedings against her in C.C.No.282 of 2022 pending on the file of XV Additional Chief Metropolitan Magistrate at Hyderabad. The offences alleged against her are under Sections 498-A, 406, 506 read with Section 34 of Indian Penal Code (for short "IPC"), Section 6 of Dowry Prohibition Act.

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 as she is a woman aged 78 years, in the aforesaid case before the trial Court.

4. Considering the submission of learned counsel for the petitioner; the Criminal Petition is disposed of with the following directions:

i) The attendance of the petitioner – Accused No.2 is dispensed with in C.C.No.282 of 2022 pending on the file of XV Additional Chief Metropolitan Magistrate at Hyderabad, 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.

5. Needless to say, the petitioner is 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/- C. PRAVEEN KUMAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XV Addl. Chief Metroplitan Magistrate at Hyderabad City..
2. The SHO WPS, Begumpet, Hyderabad.
3. One CC to SRI. NAGESHWAR RAO PUJARI Advocate [OPUC]
4. Two CCs to THE PUBLIC PROSECUTOR, High Court for the State of Telangana, at Hyderabad. [OUT]
5. Two CD Copies

NJB

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HIGH COURT

DATED:24/04/2023

ORDER

CRLP.No.4126 of 2023



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3/7/23