

IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD

FRIDAY, THE TWENTY EIGHTH DAY OF APRIL  
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 4431 OF 2023

Between:

1. Khadar Baba, s/o Imam, aged about 50 years, occ. Journalist
2. Rahul Munshi, s/o Khadar Baba, aged about 23 years, occ. Student.
3. Arun Jakkula, s/o John Wesley, aged about 34 years, occ. Journalist, Caste. SC
4. Sk. Karimulla, s/o Masthan, aged about 45 years, occ. Daily Wage Labour
5. Sk. Nazeer, s/o Lal Mohammad, aged about 35 years, occ. Daily Wage Labour
6. Dagani Jayakumar, s/o Nageswar Rao, Aged 40 years Occ. Daily Wage Labour, Caste. SC
7. V.Nagaraj, s/o Raja Ratnam, aged about 21 years, occ. Daily wage Labour, Caste. SC

(All are r/o Rajeev Colony, Sathupalli Town Khammam District)

...PETITIONER/ACCUSED NOS.1 TO 7

AND

1. The State of Telangana, , through S.H.O., Sathupalli Police Station, rep. by its Public Prosecutor, High Court at Hyderabad.
2. Kudamagundla Rajeev, s/o Dasu, aged about 29 years, occ. Student, r/o Rajeev Colony Sathupalli Town, Khammam District.

...RESPONDENTS/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 relating to the SC. No. 17 of 2023 of on the file of Hon'ble court of Special Judge For The Trial Of Cases Under SC's/ST's(POA)Act at Khammam and quash the proceedings thereon

**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 all further proceeding, personal appearance of the petitioners in SC. No. 17 of 2023 of on the file of the Hon'ble court of Special Judge For The Trial Of Cases Under SCs/Sts (POA) Act at Khammam, pending disposal of the Criminal petition

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri KARUNAKAR REDDY, Advocate for the Petitioner and of the Additional Public Prosecutor for the State of Telangana on behalf of the Respondent No.1

**The Court made the following: ORDER**

**THE HONOURABLE SRI JUSTICE K.SURENDER****CRIMINAL PETITION No.4431 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 - accused Nos.1 to 7 to quash the proceedings against them in S.C.No.17 of 2023 pending on the file of learned Special Judge for Trial of Cases under SCs/STs (POA) Act, Khammam. The offences alleged against them are punishable under Sections 143, 147, 447, 324 and 506 read with Section 149 of Indian Penal Code (for short "IPC") and Sections 3(1)(r)(s) and 3(2)(Va) of SC/ST (POA) Act.

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

3. Though the petitioners have raised several grounds to quash the proceedings in the aforesaid case, learned counsel for the petitioners requested this Court to dispense with the appearance of the petitioners – accused Nos.1 to 7, 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 petitioners – accused Nos.2 to 7 is dispensed with in S.C.No.17 of 2023 pending on the file of learned Special Judge for Trial of Cases under SCs/STs (POA) Act, Khammam, when represented by their counsel on record.
- ii) The attendance of the petitioners is dispensed with subject to filing affidavits 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.
- iii) However, the petitioners shall appear before the learned Magistrate as and when their presence is required. In the event of the failure of the petitioners to appear when the Court directs, this order dispensing their attendance shall stand cancelled.
- iv) No such relief is given as far as petitioner – accused No.1 is concerned



5. Needless to say, the petitioners are 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/-T. JAYASREE  
ASSISTANT REGISTRAR

//TRUE COPY//

*GP*  
SECTION OFFICER

To,

1. The Special Judge for the Trial of cases under SC/ST (POA) Act at Khammam
2. Two CCs to the PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT]
3. One CC to SRI. KARUNAKAR REDDY Advocate [OPUC]
4. Two CD Copies

KKS

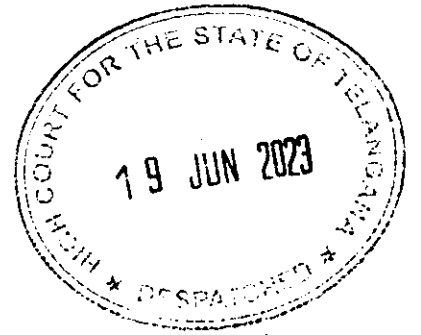
*BSR*

**HIGH COURT**

**DATED:28/04/2023**

**ORDER**

**CRLP.No.4431 of 2023**



**DISPOSING THE CRLP**

7  
8/6/23  
BSR