

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**TUESDAY, THE TWENTY EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL REVISION CASE NO: 353 OF 2021

Criminal Revision Case sections 397 & 401 of Cr.P.C against the order dismissing the CrI.M.P.No.2113 of 2017 in C.C.No.32 of 2015 of P.S. Alwal, dated.19/10/2020 on the file of the Court of the III Additional Junior Civil Judge-cum XXIII Metropolitan Magistrate, Cyberabad at Medchal, filed by the petitioner praying to discharge u/sec 239 of Cr.p.c, for offence under sections 420, 468, 471 of IPC.

Between

J. Jangam Suresh, S/o Late Jangam Narsimha Swamy, Aged 36 yrs, Occ Business, Caste Kurma, R/o. Plot No.15/A, Vivekanada Colony, Bollaram, Hyderabad

...REVISION PETITIONER/ACCUSED No.5

AND

1. The State of Telangana, Rep. by Public Prosecutor, High Court, Hyderabad.

...RESPONDENTS

2. E. Anuradha, W/o C.C.S Murthy, Aged 56 years, Occ Govt. Employee R/o.Flat No.104, Basar Apartments, Anand Nagar, Khairatabad, Telangana-500 075.

...RESPONDENTS No.2/DEFACTO-COMPLAINANT

IA NO: 2 OF 2021

Petition under Section 482 CrPC praying that in the circumstances stated in the Memorandum of Grounds of Criminal Revision Case, the High Court may be pleased to set aside the orders passed in CrI.M.P.No.2113 of 2017 in C.C.No.32 of 2015 of P.S. Alwal, dated.19/10/2020 on the file of III Additional Junior Civil Judge-cum-XXIII Metropolitan Magistrate, Cyberabad at Medchal pending disposal of the Criminal Revision Case.

**Counsel for the Petitioner : SRI. P VAMSHEEDHAR REDDY
Counsel for the Respondent No.1: PUBLIC PROSECUTOR
Counsel for the Respondent No.2 : Ms G S PRASEEN**

The Court delivered the following: JUDGMENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL REVISION CASE No.353 OF 2021

JUDGMENT:

This revision is filed by the petitioner/A5 challenging the order dt.19.10.2020 of the III Additional Junior Civil Judge-cum-XXIII Metropolitan Magistrate, Cyberabad at Medchal, in CrI.M.P.No.2113/2017 in C.C.No.32/2015, whereby the learned Magistrate dismissed the application filed by Accused No.5 and four others seeking discharge for the offences under Sections 420, 468, 471 of the Indian Penal Code in Crime No.367 of 2011.

2. Heard learned counsel for the petitioner/A5 and learned Additional Public Prosecutor for the respondent – State. Perused the record.

3. There are no grounds to interfere with the order of the learned Magistrate in dismissing the prayer of the petitioner seeking discharge. However, learned counsel for the petitioner/A5 submits that the presence of the petitioner may be dispensed with before the trial Court.

4. In view of the request made by the learned counsel for the revision petitioner, the attendance of the revision petitioner/A5, is dispensed with, with the following conditions:

i) The attendance of the petitioner/A5 is dispensed with in C.C.No.32 of 2015, pending on the file of III Additional Junior Civil Judge-cum-XXIII Metropolitan Magistrate, Cyberabad at Medchal, when represented by his counsel on record.

ii) The attendance of the petitioner/A5, is dispensed subject to filing an affidavit by him stating that in his absence the proceedings conducted by his counsel will not be disputed by him in any manner and shall not dispute his identity also.

iii) However, the petitioner/A5 shall appear before the learned Magistrate as and when his presence is required. In the event of the petitioner's failure to appear when the Court directs, this order dispensing his attendance shall stand cancelled.

5. Accordingly, the Criminal Revision Case is disposed off.

Miscellaneous applications pending, if any, shall stand closed.

SD/- M.RAMANA KRISHNA
DEPUTY REGISTRAR
7B
SECTION OFFICER

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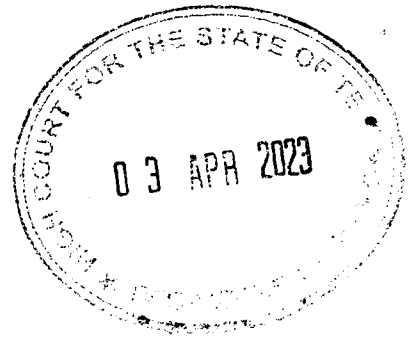
1. The III Additional Junior Civil Judge-cum XXIII Metropolitan Magistrate, Cyberabad at Medchal,
2. One CC to SRI. P VAMSHEEDHAR REDDY, Advocate. [OPUC]
3. One CC to Ms. G S PRASEEN, Advocate.[OPUC]
4. Two CCs to the PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad.[OUT]
5. Two CD Copies

SB
BSR

HIGH COURT

DATED:28/02/2023

JUDGMENT



CRLRC.No.353 of 2021

DISPOSING OF THE CRLRC WITHOUT COSTS

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12/03/23

BSR