

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

TUESDAY ,THE SEVENTH DAY OF NOVEMBER  
TWO THOUSAND AND TWENTY THREE

**PRESENT**

**THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL**

**CRIMINAL PETITION NO: 9784 OF 2017**

**Between:**

1. M.SURESH, S/o. Venkateshwarlu, Occ Un-Employee, R/o. at Plot No. 97, Sidartha Nagar, Street No. 3, SR.Nagar, Hyderabad. Native of H. No. 13-63, Kantayapalem Road, Thorrure, Warangal District.
2. Rajesh Merugu, S/o. Merugu Venkateshwarlu, Occ Software, R/o. at Plot No. 97, Sidartha Nagar, Street No. 3, SR.Nagar, Hyderabad. Native of H. No. 13-63, Kantayapalem road, Thorrure, Warangal District.

**...PETITIONERS/ACCUSED No. 1 & 2**

**AND**

1. The State of Telangana, Through Station House Officer, S.R. Nagar P.S., Rep. by its Public Prosecutor, High court of Judicature at Hyderabad For the State of Telangana and the State of Andhra Pradesh.
2. Kum. G. Ahalya Lahari, D/o. G. Pandaiah Goud, R/o. H. No. 16-11-20/6/2/B and 2/C, Flat No. 202, Saleem Nagar Colony, Malakpet, Hyderabad (LW-1)

**...RESPONDENTS/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 in CC No. 948 of 2017 on the file of the III Addl. Chief Metropolitan Magistrate, Hyderabad.

**I.A. NO: 1 OF 2017(CRLPMP. NO: 10672 OF 2017)**

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 stay of all further proceedings including appearance of the petitioners in CC .No.948 of 2017 on the file of the III Addl. 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 SURESH KUMAR REDDY KALAVA, Advocate for the Petitioner and Sri Vizarith Ali, Learned Assistant Public Prosecutor on behalf of the Respondent No.1 and the Sri Prasad Ravanaboina, Advocate for the Respondent No.2.

**The Court made the following: ORDER**

**HONOURABLE SRI JUSTICE E.V.VENUGOPAL**

**CRIMINAL PETITION No.9784 of 2017**

**ORDER:**

The present Criminal Petition is filed seeking to quash the proceedings against the petitioners/accused Nos.1 and 2 for the offences under Sections. 354, 325, 323 and 506 of I.P.C. in C.C.No.948 of 2017 on the file of the learned III Additional Chief Metropolitan Magistrate, Hyderabad (for short, "the trial Court") and pass such other order or orders.

2. Heard Smt. Vanisri, learned counsel representing Mr. Suresh Kumar Reddy Kalava, learned counsel for the petitioners/accused No.1 and 2, Mr. Vizarath Ali, learned Assistant Government Pleader appearing for respondent No.1 State and Mr. Prasad Ravanaboina, learned counsel for respondent No.2. Perused the record.

3. The brief facts of the case are that the marriage between petitioner No.2 and respondent No.2 was solemnized on 11.05.2014 in the presence of elders. They

were blessed with a female child during their wed-lock. Petitioner No.1 is the brother-in-law of respondent No.2. On account of the disputes that cropped up between the couple, both of them started living separately. One day, respondent No.2 and her father went to the place where petitioners were residing and requested petitioner No.2 to settle the disputes amicably, so that they could lead a happy matrimonial life. On hearing the same, petitioner No.1 grew wild and started abusing respondent No.2 and her father in filthy language and outraged her modesty. The petitioners also beat her father who tried to settle the matter amicably. Basing on the said facts, the present crime is registered stating that petitioner No.1/accused No.1 was alleged to have committed the offences under Sections. 354, 323, 506 of I.P.C. and Petitioner No.2/accused No.2 was alleged to have committed the offences under Sections.325 and 506 of I.P.C.

4. Learned counsel for the petitioners submitted that initially Crime No.426 of 2017 has been registered against

the petitioners for the offences alleged under Sections.323 and 509 of I.P.C. and during the course of investigation, the police have registered the offences i.e., Sections. 354, 325 and 506 of I.P.C. as well, basing on omnibus allegations. Learned counsel further submitted that, as per the complaint no dangerous weapon has been used nor any grievous injury has been inflicted upon respondent No.2 and her father, therefore, roping the petitioners under Section 325 of I.P.C. is abuse of process of law.

5. Learned counsel for the petitioners contended that petitioner No.1 is a well-educated person and dependant on petitioner No.2, who was a software employee. Both of them hale from a respectable family and hold good reputation in the society. Therefore, learned counsel submits that continuation of the impugned proceedings is untenable and seeks to quash the same.

6. Learned Assistant Public Prosecutor and learned counsel for respondent No.2 submitted that the police upon conducting thorough investigation registered the

offences alleged against the petitioners under Sections. 354, 325, 323 and 506 of I.P.C. Unless and until a full-fledged trial is conducted, the real truth will not come out. Therefore, seeks to dismiss the Criminal Petition.

7. Having regard to the submissions made by all the learned counsel and upon perusing the material available on record, this Court is of the opinion that the matter requires adjudication at length and the trial Court, after conducting a full-fledged trial and upon examining the oral and documentary evidence available on record, would pass appropriate orders. Therefore, this Court is not inclined to entertain the Criminal Petition at the premature stage.

8. Accordingly, the Criminal Petition is dismissed. However, the appearance of the petitioners before the trial Court, is dispensed with during the course of the impugned proceedings on all occasions, except as and when required.

Miscellaneous petitions, pending if any, shall stand closed.

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

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SECTION OFFICER

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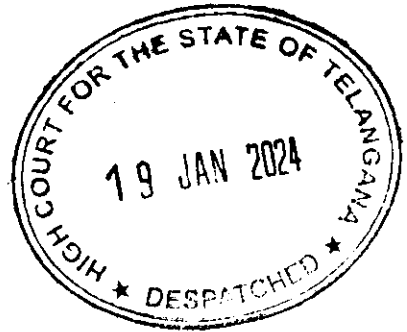
1. The III Addl. Chief Metropolitan Magistrate, Hyderabad.
2. The Station House Officer, S.R. Nagar Police Station, Hyderabad.
3. One CC to Sri Suresh Kumar, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana (OUT)
5. Two CD Copies

BJLB  
NS

HIGH COURT

DATED:07/11/2023

ORDER



CRLP.No.9784 of 2017

CRIMINAL PETITION IS DISMISSED

(8) vlv  
9/11/24