

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

WEDNESDAY, THE TWENTY THIRD DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION-NO: 7910 OF 2019

Between:

1. Sri Ailapaka Uday Kiran, S/o. Uma Maheshwar, aged 30 years, Occ- Software Engineer, R/o. H.No. A-5-283/104/1, Road No.2 Madhav Nagar Colony, Karmanghat, R.R. District
2. Potti Murali Krishna, S/o. Papaiah, aged about 36 years, Occ- Business, R/o. Ward No.1 Devarakonda village and Mandal, Nalgonda District.
3. Smt.Dhanakari Rudramadevi, W/o. Sashidhar, aged 30 years, Occ- Software Engineer, H.No. A-5-283/104/1, Road No.2, Madhav Nagar Colony, Karmanghat, R.R.District.
4. Smt. Golla Neelavani, W/o. Suresh, aged about 35 years, Occ- Housewife, R/o. Setharambagh, Nampally, Hyderabad.
5. Smt. Potti Jhansi Rani, W/o. Muralikrishna, aged 34 years, Occ- Housewife, R/o. Ward No,1, Devarakonda village and Mandal, Nalgonda District.
6. Smt.Ailapaka Suguna Bhai, W/o. Uma Maheswar, Aged about 56 years, Occ- Housewife, R/o. H.No. A-5-283/104/1, Road No.2 Madhav Nagar Colony, Karmanghat, R.R.District
7. Ailapaka Umamaheshwar, S/o. Nagaiah (Late) aged about 62 years, Occ- Retired Employee, R/o. H.No. A-5-283/104/1, Road No.2 Madhav Nagar Colony, Karmanghat, R.R.District

...Petitioner/Accused Nos. 1 to 7

AND

1. The State of Telangana, through SHO., L.B.Nagar Police Station, Rachakonda Commissionerate, R.R.District, Represented by its Public Prosecutor, High Court, Hyderabad.
2. Dhanakari Shashidhar, S/o. Kistaiah, aged about 38 years, Occ- Software Engineer, R/o. H.No. 3-6-294, Venture-I, SBH Colony, L.B.Nagar, R.R.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 charge sheet C.C.No. 5547 of 2019 on the file of the II Metropolitan Magistrate, Cybrabad at L.B.Nagar.

I.A. NO: 1 OF 2019

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 the appearance of the petitioners in C.C.No. 5547 of 2019 on the file of the II Metropolitan Magistrate, Cybrabad at L.B.Nagar, pending disposal of the main Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri MEESALA VINOD KUMAR, Advocate for the Petitioner and the Additional Public Prosecutor on behalf of the Respondent No.1 and of Sri MAHESH RAJU, Advocate for the Respondent No. 2

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE K. SURENDER

CRIMINAL PETITION NO. 7910 OF 2019

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 call for the records relating to the charge sheet filed against the petitioners for the offence under Sections 354, 448, 323, 504, 506 r/w 34 of Indian Penal Code and to quash the proceedings in C.C.No.5547 of 2019 on the file of the II Metropolitan Magistrate, Cyberabad at L.B.Nagar.

2. It is alleged that 3rd petitioner/A3 was married to 2nd respondent on 07.06.2015. Thereafter, they started residing at Bangalore on account of their job. Later, both of them shifted to Hyderabad and started residing in the ground floor of the house of the 2nd respondent. There were differences between the spouses over a period of time. On 09.06.2019 it is alleged that these petitioners and the 2nd respondent picked up quarrel and both the parties complained before the L.B.Nagar Police Station. The present crime is F.I.R No.629 of 2019 and the complaint filed by these petitioners is registered as F.I.R No.630 of 2019.

3. Both the counsel submitted that the charge sheet was also filed in F.I.R.No.630 of 2019. Since there are two (2) cases, which

are case and counter case about the same incident, this Court deems it appropriate to direct the concerned Magistrate to dispose off both the cases within a period of four (4) months. The attendance of the petitioners/A1 to A7 is dispensed during the trial. However, they shall appear as and when directed by the Magistrate for the purpose of trial. The petitioners shall not dispute any proceedings that are undertaken by the Court in their absence. If the petitioners fail to appear as and when directed, their order of appearance dispense shall stand cancelled. Accordingly, the criminal petition is disposed of.

As a sequel, miscellaneous petitions, pending if any, shall stand closed.

Sd/- B. CHANDRA PRAKASH
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The II Metropolitan Magistrate, Cybrabad at L.B.Nagar.
2. Two CCs to the Public Prosecutor, High Court of Telangana at Hyderabad.
[OUT]
3. One CC to SRI. MEESALA VINOD KUMAR, Advocate [OPUC]
4. One CC to SRI. MAHESH RAJU, Advocate [OPUC]
5. Two CD Copies

PSR

HVS

HIGH COURT

KS,J

DATED:23/08/2023

ORDER

CRLP.No.7910 of 2019



CRIMINAL PETITION IS DISPOSED OF.

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5/12/23
Hvd