

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

**TUESDAY, THE SEVENTEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY THREE**

**PRESENT
THE HONOURABLE SMT JUSTICE G.ANUPAMA CHAKRAVARTHY**

CRIMINAL PETITION NO: 10332 OF 2023

BETWEEN:

1. Patlolla Shiva Reddy, S/o Narayana Reddy, Aged about 78 years, Occ, Agriculture, R/o H. No 1-89, Burugupally Village, Momimpet Mandal Rangareddy District, TS.
2. Patlolla Veera Reddy, S/o Shiva Reddy, Aged about. 55 years Occ. Agriculture, R/o. H.No 6-3-9/2, Sriram Nagar Colony, Sadashivapet Town, Sangareddy District, TS.

...PETITIONER/ACCUSED (3&4)

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court at Hyderabad.
2. Ashangari Srinivasreddy, S/o Galreddy@ Veerareddy, Aged about 38 Years, Occ, Agriculture R/o Sangapur Village, Raikode Mandal, Sangareddy District, TS.

...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 proceeding in C.C. NO.157 of 2023, date: 20/03/2023 on the file of Honourable Judicial First Class Magistrate, against the petitioners A3 and A4.

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 to stay all further proceedings in C.C.No.157 of 2023, dt.20.03.2023 on the file of Honourable Judicial First Class Magistrate Zaheerabad including the appearance of the petitioners A3 and A4.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri E.RAVINDER REDDY, Advocate for the Petitioners, the Public Prosecutor on behalf of the Respondent No.1.

The Court made the following: ORDER

HON'BLE SMT. JUSTICE G. ANUPAMA CHAKRAVARTHY

CRIMINAL PETITION No.10332 OF 2023

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (for short 'Cr.P.C.') by the petitioners/accused Nos.3 and 4 to quash the proceedings in C.C.No.157 of 2023, dated 20.03.2023 on the file of the Judicial First Class Magistrate, Zaheerabad registered for the offences under Sections 447, 341, 323, 504, 506 read with Section 34 of IPC.

2. Heard. learned counsel for the petitioners and Sri S.Ganesh, learned Assistant Public Prosecutor for respondent No.1 – State. Perused the record.

3. Learned counsel for the petitioners contended that petitioners/accused Nos.3 and 4 have not committed any offence as alleged by the prosecution and a false case has been foisted against them by respondent No.2 herein to harass them. Therefore, prayed to quash the proceedings against them.

4. On the other hand, learned Assistant Public Prosecutor contended after due investigation, the police have filed charge

sheet against the petitioners herein. Therefore, it is not a fit case to quash the proceedings against the petitioners at this juncture.

5. On a perusal of the charge sheet, this Court is of the view that the truth or otherwise of the allegations made against the petitioners can be decided only after conducting trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioners.

6. Taking into consideration the fact that only general allegations are leveled against the petitioners/accused Nos.3 and 4 and as there are no specific overt act made against them, their appearance/attendance before Judicial First Class Magistrate at Zaheerabad in C.C.No.157 of 2023 is dispensed with, unless their presence is required by the trial Court for a specific purpose or at the time of recording their examination under Section 313 Cr.P.C. and on the date of pronouncement of judgment. Further, the petitioners are at liberty to file an application seeking discharge and on such application being filed, the trial Court shall dispose of the same on merits within a period of three (03) weeks, without being influenced by any of the observations made by this Court in the present order.

7. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

SD/- K.VENKAIAH
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Judicial First Class Magistrate ,Zaheerabad.
2. Two CC's to The Public Prosecutor, High Court at Hyderabad. [OUT]
3. One CC to SRI. ERRI RAVINDER REDDY Advocate [OPUC]
4. Two CD Copies

KMS



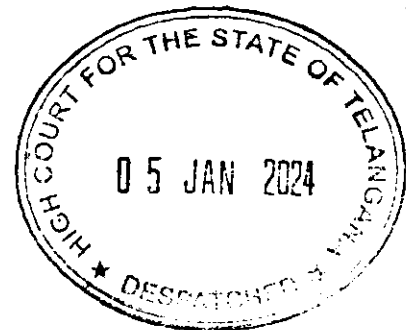
HIGH COURT

GAC, J

DATED: 17/10/2023

ORDER

CRLP.No.10332 of 2023



DISMISSING THE CRIMINAL PETITION

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RMA
05/11/2024