

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**THURSDAY, THE SIXTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO. 11247 OF 2023

Between:

Dr.Vishwanath Maharshi @ B.Vishwanatharaju, S/o.B. Bangaru Raju, Age: 60years,
Occ: Aurvedic Doctor, R/o.Flat No.3 Banjara Hills, Hyderabad.

...PETITIONER/ACCUSED No.1

AND

1. The State of Telangana, Rep. by Public Prosecutor Station House Officer, Sanjeev Reddy Nagar Police Station, Hyderabad District.
2. Namburu Padmavathi, W/o. Hari Prasad, Aged about 51 years, Occ. Housewife, R/o.8-4-549/ 1/ 1, Nethaji Nagar Hyderabad.

...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 quash the Charge sheet dated 12.02.2020 against Petitioner/Accused No.1 in CC.NO.3039 of 2020 on the file of III Addl Chief Metropolitan Magistrate Nampally, Hyderabad, U/s.417, 420, 468, 120 (B) r/w. Sec 34 of IPC.

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 stay all further proceedings against the Charge Sheet dated 12.02.2020 against Petitioner/Accused No.1 in CC.No.3039 of 2020 on the file of

III Addl. Chief Metropolitan Magistrate Nampally, Hyderabad, U/s.417, 420, 468,
120 (B) r/w. Sec 34 of IPC.

This Petition coming on for hearing, upon perusing the Memorandum of
Grounds of Criminal Petition and upon hearing the arguments of Sri B. KAVITA
YADAV, Advocate for the Petitioner and the Additional Public Prosecutor on
behalf of the Respondent No.1 and none appeared for the Respondent No.2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.11247 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 petitioner-Accused No.1 seeking to quash the proceedings against him in C.C.No.3039 of 2020 on the file of the III Additional Chief Metropolitan Magistrate, Nampally, Hyderabad. The offences alleged against him are punishable under Sections 417, 420, 468 and 120-B of Indian Penal Code.

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

3. Learned counsel for the petitioner confined his prayer to dispense with the personal appearance of petitioner – Accused No.1 before the trial Court.

4. Considering the submission of learned counsel for the petitioner, without going into the merits of the case, the attendance of the petitioner – Accused No.1 is dispensed with in C.C.No.3039

of 2020 pending on the file of the III Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, when represented by his counsel on record. The attendance of the petitioner – Accused No.1 is dispensed with subject to filing an affidavit by the petitioner 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. However, the petitioner shall appear before the learned Magistrate as and when his presence is required. In the event of failure of the petitioner to appear when the Court directs, this order dispensing his attendance shall stand cancelled.

5. Accordingly, the Criminal Petition is disposed of. Needless to say, in the event of the petitioner filing an application seeking discharge, if charges are not framed, the concerned Court shall dispose of the same after hearing both sides, within a period of four (04) weeks.

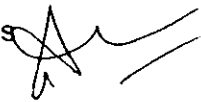
Miscellaneous applications pending, if any, shall stand closed.

**SD/- C. PRAVEEN KUMAR
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

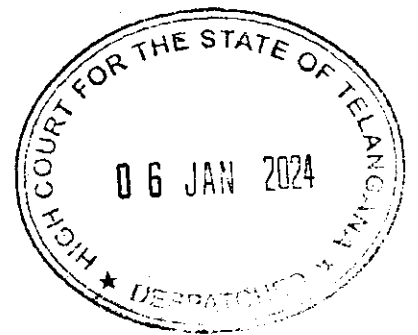
To,

1. The III Additional Chief Metropolitan Magistrate Nampally, Hyderabad
2. The Station House Officer, S.R.Nagar Police Station, Hyderabad.
3. One CC to M/s. B. KAVITA YADAV, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
5. Two CD Copies 

MP
GJP

HIGH COURT

DATED:16/11/2023



ORDER

CRL.P.No.11247 of 2023

DISPOSING OF THE CRIMINAL PETITION

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29/12/2023