

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.11254 OF 2023

Between:

K.A.Shyam Sunder, S/o K. Ananthaiah, Age 72 years, Occ. Retied Pvt Employee,
R/o 5-5-33/P.88, Plot no 88, Vignanpuri Colony, Kukatpally, Hyderabad-500072.T.S

...PETITIONER/ACCUSED No.4

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court of Judicature at Hyderabad.
2. Sri Rama Rao Nagaraj, S/o Late D.P. Rama Rao, aged 56 years, Occ. Private Service, R/o H.No 12-5-16/2, aged 56 years. Vijayapuri, Tarnaka, Secunderabad-1.T.S Presently Address 97, 4th West Main, ITI Layout BSK 3rd Stage Bangalore-85, Karnakata State.

...RESPONDENT/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 proceedings in C.C no 6586 of 2021, on the file of Hon'ble XII Additional Chief Metropolitan Magistrate at Hyderabad District.

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 of all further proceedings in the proceedings in C.C no 6586 of 2021, on the file of Hon'ble XII Additional Chief Metropolitan Magistrate at Hyderabad District.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri K. SATISH CHAKRAVARTHY, 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.11254 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.4 seeking to quash the proceedings against him in C.C.No.6586 of 2021 on the file of the XII Additional Chief Metropolitan Magistrate at Hyderabad. The offences alleged against him are punishable under Sections 409 and 420 r/w 34 of Indian Penal Code.

2. Heard learned counsel for the petitioner - Accused No.4 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.4 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.4 is dispensed with in C.C.No.6586

of 2021 pending on the file of the XII Additional Chief Metropolitan Magistrate at Hyderabad, when represented by his counsel on record. The attendance of the petitioner – Accused No.4 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/- MOHD. SANAULLAH ANSARI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

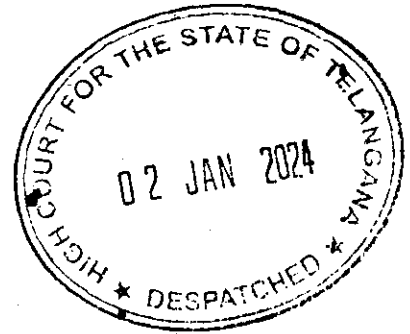
To,

1. The XII Additional Chief Metropolitan Magistrate at Hyderabad District.
2. The Investigating Officer, Central Crime Station, Detective Department, Hyderabad.
3. One CC to SRI K. SATISH CHAKRAVARTHY, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
5. Two CD Copies

MP
GJP PMA.

HIGH COURT

DATED:16/11/2023



ORDER

CRL.P.No.11254 of 2023

DISPOSING OF THE CRIMINAL PETITION

⑧ PMG
28/12/23.