

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

**FRIDAY ,THE THIRD DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

CRIMINAL PETITION NO: 8620 OF 2015

Between:

A.V. Ramana, S/o. A.R. Chandrasekhar, aged 54 years, Occ State Secretary,
Janata Dal (United) Party, R/o. 152, B.K. Enclave, Miyapur, Hyderabad

...Petitioner/Accused

AND

1. Dr. C. Narayana Reddy, S/o Late Malal Reddy, Aged Major, Occ President of
Andhra Saraswathi Parishath, R/o. Plot No.48, Film Nagar Colony, Jubilee
Hills, Hyderabad.

...Respondent/Defacto Complainant

2. The State of Telangana, rep. by its P.P., High Court at Hyderabad for the
State of Telangana and State of Andhra Pradesh

...Respondent/ Respondent

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 order dated 24-11-2014 passed in CrI.M.P.No. 3470 of 2014 in Cr.No. 67 of 2012 of Police Station, Sultan Bazar (C.C.No. 1001 of 2014 on the file of II Additional Chief Metropolitan Magistrate, Hyderabad) to extent of not taking cognizance of the offence against A2 and also the order passed in CrI. R.P.No. 121 of 2015 dt. 09-07-2015 on the file of Metropolitan Sessions Judge, Hyderabad in confirming the order of the II Additional Chief Metropolitan Magistrate, Hyderabad and consequently direct the Magistrate to take cognizance of the offence against A2 and try along with other accused.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of M/S. S. TULASI DAS, Advocate for the Petitioner (Not present) and the Assistant Public Prosecutor on behalf of the Respondent No.2 and of Sri I. Gopala Reddy, Advocate for the Respondent No. 1

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE E. V. VENUGOPAL**CRIMINAL PETITION No.8620 OF 2015****ORDER:**

The present criminal petition is filed to quash the order dated 24-11-2014 passed in CrI.M.P.No.3470 of 2014 in Cr.No.67 of 2012 of police station, Sultan Bazar which was subsequently numbered as C.C.No.1001 of 2014 on the file of II Additional Chief Metropolitan Magistrate, Hyderabad to the extent of non taking cognizance of the offence against A2 and also the order passed in CrI.R.P.No.121 of 2015 dated 09.07.2015 on the file of Metropolitan Sessions Judge, Hyderabad in confirming the order of the II Additional Chief Metropolitan Magistrate, Hyderabad and consequently direct the Magistrate to take cognizance of the offence against A2 and try along with other accused and pass such other order as deems fit and proper.

2. There is no representation on behalf of petitioner.
3. Learned counsel for the unofficial respondent is present and by providing a copy of order in CrI.P.No.6486 of 2015 and the proceedings in C.C.1001 of 2014 on the file of II Additional Chief Metropolitan Magistrate, Hyderabad would submit that the

said proceedings in C.C.No.1001 of 2014 are quashed and the petitioner has been acquitted against alleged offence.

4. Now the point for consideration is –

Whether the proceedings in Criminal Revision petition No.121 of 2015 dated 09.07.2015 on the file of Metropolitan Sessions Judge would survive or not in confirming the order in C.C.No.1001 of 2014?

5. This Court opines that once the criminal petition has been allowed and quashed by this Court the subsequent proceedings against the proposed accused will not survive.

6. Learned Assistant Public Prosecutor is present and would also concede to the fact that once the criminal petition has been allowed and the proceedings are quashed in CC.No.1001 of 2014 by this Court, the subsequent proceedings against revision petitioner to array and conduct the proceedings against proposed accused No.2 will not survive and therefore seeks to dismiss the criminal petition.

7. This Court, having regard to the submissions made by the learned counsel for the unofficial respondent and Assistant Public Prosecutor and upon perusing the orders passed by this

Court in CrI.P.No.6486 of 2015, is of the view that the prayer sought for in this criminal petition is misconceived, as the main proceedings has already been quashed and therefore the question of taking cognizance of A2 in the CC does not arise.

8. Recording the submissions made by the learned counsel for the unofficial respondent and Assistant Public Prosecutor, this Court is inclined to dismiss the Criminal Petition as infructuous.

9. Accordingly, the criminal petition is dismissed as infructuous.

Miscellaneous Petitions, pending if any, shall stand closed.

//TRUE COPY//

Sd/- V. HARI PRASAD
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Metropolitan Sessions Judge, Hyderabad.
2. The II Additional Chief Metropolitan Magistrate, Nampally, Hyderabad.
3. The Station House Officer, Sultan Bazar Police Station, Hyderabad.
4. One CC to M/S. Tulasi Das, Advocate [OPUC]
5. One CC to Sri I. Gopal Reddy, Advocate [OPUC]
6. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. (OUT)
7. Two CD Copies

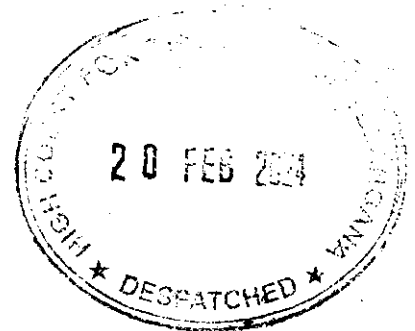
PNO/NJB

HIGH COURT

DATED:03/11/2023

ORDER

CRLP.No.8620 of 2015



**DISMISSING THE CRLP
AS INFRACTUOUS**

(10) VLV
18/2/24