

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

TUESDAY, THE THIRD DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

**PRESENT
THE HONOURABLE SRI JUSTICE K.SURENDER**

CRIMINAL PETITION NO: 11976 OF 2022

Between:

1. Ali Ahmed Sulemani, S/o.Shabbir Ahmed Sulemani
2. Rasheeda Begum, W/o.Shabbir Ahmed Sulemani

...PETITIONERS/ACCUSED NO.1 & 2

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court for the State of Telangana Through PS Mailardevpally
2. Jabeen Begum, W/o.Ali Ahmed Sulemani

...RESPONDENTS/ DEFACTO 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.2903 of 2021 on the file of the XIV Additional Metropolitan Magistrate Cyberabad at Rajendranagar, Ranga Reddy District, in Cr.No.517 of 2019 of PS Mailardevpally, Cyberabad

I.A. NO: 1 OF 2022

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 C.C.No.2903 of 2021 on the file of XIV Additional Metropolitan Magistrate Cyberabad at Rajendranagar, Ranga Reddy District, in Cr.No.517 of 2019 of PS Mailardevpally, Cyberabad, including the arrest of the petitioners, 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 K.JAMALI, Advocate for the Petitioners and of the Additional Public Prosecutor for the State of Telangana 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.11976 OF 2022****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 and 2 to quash the proceedings against them in C.C.No.2903 of 2021 pending on the file of XIV Additional Metropolitan Magistrate, Cyberabad at Rajendranagar, Ranga Reddy District. The offence alleged against them is Section 498-A of Indian Penal Code (for short "IPC").

2. Heard learned counsel for the petitioners-Accused and learned Additional Public Prosecutor for the respondent – State. Perused the record.

3. Learned counsel for the petitioners confined his prayer to dispense with the personal appearance of petitioners – Accused as they are permanent residents of Gujarat and petitioner – Accused No.2 is an old aged person.

4. Considering the submission of learned counsel for the petitioners, this Court is inclined to dispense with the attendance of

the petitioner – Accused No.2 in C.C.No.2903 of 2021 pending on the file of XIV Additional Metropolitan Magistrate, Cyberabad at Rajendranagar, Ranga Reddy District, when represented by her counsel on record. The attendance of the petitioner is dispensed with subject to filing an affidavit by her stating that in her absence the proceedings conducted by her counsel will not be disputed by her in any manner and also she shall not dispute her identity. However, the petitioner shall appear before the learned Magistrate as and when her presence is required. In the event of the petitioner failure to appear when the Court directs, this order dispensing her attendance would stand cancelled. No such relief is given so far as petitioner – Accused No.1 is concerned.

5. Accordingly, the Criminal Petition is disposed of. Needless to say, in the event of the petitioners filing an application seeking discharge, the concerned Court shall dispose it of on merits within a period of four (04) weeks.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/-G.SIREESHA
ASSISTANT REGISTRAR

Cth
SECTION OFFICER

To

1. The XIV Additional Metropolitan Magistrate, Cyberabad, at Rajendranagar, Hyderabad.
2. The Station House Officer, Mailardevpally Police Station, Mailardevpally, Cyberabad.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
4. One CC to Sri K.Jamali, Advocate [OPUC]
5. Two CD Copies

Kj.

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HIGH COURT

DATED:03/01/2023

ORDER

CRLP.No.11976 of 2022



DISPOSING OF THE CRL.P.

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4/2/23