

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

FRIDAY, THE SIXTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 153 OF 2023

Between:

1. Marri Sowjanya, W/o.Vijaya Bhaskar, aged 32 years, Occ.Housewife R/o.H.No.46-139-1874, Samathanagar 4th Line, Ongole, Prakasam District, Andhra Pradesh.
2. Marri Raghuram Chandra, S/o. Marri Gurraiah, aged 29 years, Occ. Private Employee, R/o. H.No.46-139-1874, Samathanagar, 4th Line, Ongole, Prakasam District Andhra Pradesh.
3. Marri Nagarjuna @ Vijay, S/o. Marri Gurraiah, aged 27 years, Occ. Private Employee, R/o. H.No.46-139-1874, Samathanagar, 4th Line, Ongole, Prakasam District Andhra Pradesh.
4. Marri Venkata Rajamma, W/o. Marri Gurraiah, aged 47 years, Occ. Housewife, R/o. H.No.46-139-1874, Samathanagar, 4th Line, Ongole, Prakasam District Andhra Pradesh.

...PETITIONERS/A-1 TO A-4

AND

1. The State of Telangana, Rep. by Public Prosecutor, High Court for the State of Telangana at Hyderabad.
2. K.Rajya Lakshmi, W/o. Galaiah, aged 58 years, Occ. Housewife, R/o.H.No.3-46, RTC Colony, Manjeera Pipe Line Road, Madeenaguda, Miyapur, Ranga Reddy District, Telangana.

...RESPONDENTS

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. 1886 of 2021 of 2022 on the file of the court of the Principal Junior Civil Judge-cum-VIII Additional Metropolitan Magistrate, Kukatapally, Cyberabad and quash the same in so far as the petitioners/A-1 to A-4, in the interest of justice and pass such other order or orders as this Hon'ble Court may be deemed fit and proper in the circumstances of the case.

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 including appearance of the Petitioners/A-1 to A-4 in C.C. No.1886 of 2021 on the file of the court of the Principal Junior Civil Judge-cum-VIII Additional Metropolitan Magistrate, Kukatpally, Cyberabad, pending disposal of the above criminal petition and pass such other order or orders as this Hon'ble Court may be deemed fit and proper in the circumstances of the case.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri SUDHAKARA RAO AMBATI, Advocate for the Petitioner and of the Additional Public Prosecutor (TG) 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.153 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 petitioners-Accused Nos.1 to 4 to quash the proceedings against them in C.C.No.1886 of 2021 pending on the file of Principal Junior Civil Judge cum VIII Additional Metropolitan Magistrate, Kukatpally. The offences alleged against them are under Sections 448 and 324 read with 34 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. The case of the prosecution is that petitioner-Accused No.1 who is the daughter-in-law of the 2nd respondent – *de facto* complainant went to her matrimonial house along with petitioner Nos.2 to 4 and a quarrel took place in between both the families regarding the marital issues in between 1st accused and her

husband. According to the 2nd respondent, she was beaten by the petitioners and she sustained injuries in the process.

4. Admittedly, the incident took place when the marital issues were sought to be discussed and resolved. For the said reason, when the petitioner No.1 who is the daughter-in-law of 2nd respondent had entered into her matrimonial home, it cannot be said that there is any criminal trespass. However, since the complainant/LW1 was treated in a hospital, whether the incident occurred on the said day or whether a false complaint is filed can only be assessed by the Trial Court during the course of trial after examining the witnesses.

5. Further, this Court feels it appropriate to dispense with the attendance of the petitioners - Accused Nos.1, 3 and 4 in C.C.No.1886 of 2021 pending on the file of Principal Junior Civil Judge cum VIII Additional Metropolitan Magistrate, Kukatpally, when represented by their counsel on record. The attendance of the petitioners is dispensed with subject to filing affidavits by them stating that in their absence the proceedings conducted by their counsel will not be disputed by them in any manner and also they shall not dispute their identity. However, the petitioners shall

appear before the learned Magistrate as and when their presence is required. In the event of the petitioners failure to appear when the Court directs, this order dispensing his attendance would stand cancelled. No such relief is given so far as petitioner – Accused No.2 is concerned.

6. 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.

7. With the above observations, the Criminal Petition is disposed of.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- P. GOWRI SHANKAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Junior Civil Judge-cum-VIII Kukatpally, Cyberabad.
2. The Station House Officer, Miyapur Police Station, Cyberabad.
3. One CC to Sri SUDHAKARA RAO AMBATI, Advocate [OPUC]
4. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. (OUT)
5. Two CD Copies.

Njb



HIGH COURT

KS,J

DATED:06/01/2023

ORDER

CRLP.No.153 of 2023



THE CRIMINAL PETITION IS DISPOSED OFF.

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27/1/23
4/24