

**IN THE 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: 2 OF 2023

Between:

1. Morapaka Sathyam, S/o Muthaiah, Age. 40 Yrs, Occ. Agriculture, R/o. Chakaligudem, Ramannagudem (V), Jajireddygudem (M), Suryapet District, TS.
2. Morapaka Muthaiah, S/o Lingaiah, Age. 72 Yrs, Occ. Agriculture, R/o. Chakaligudem, Ramannagudem (V), Jajireddygudem (M), Suryapet District, TS.

...PETITIONERS/ACCUSED

AND

1. The State of Telangana, rep. By its Public Prosecutor, High Court of Telangana, Hyderabad
2. Guggilla Anjaiah, S/o Chandraiah, Age. 48 yrs, Occ. Coolie, R/o. Chakaligudem, Ramannagudem (V), Jajireddygudem (M), Suryapet District, TS.

...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 call for the records in SC. No. 8 of 2022 on the file of the Sessions Judge, Court for SC/ST Cases, at Nalgonda for the alleged offences under section 324 and 504 r/w 34 IPC and Section 3 (1)(S) and 3 (2) (va) of SC/STs (POA) Amendment Act 2015 and quash the same, by declaring it as illegal, arbitrary and not attracted the offences and to grant such other relief or reliefs as this Honourable Court may deem fit and proper in the circumstances of the case.

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 in SC. No. 8 of 2022 on the file of the Sessions Judge, Court for SC/ST Cases, at Nalgonda including the appearance before the trial court.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of M/S. D.Y.L.N.CHARYULU, Advocate for the Petitioner and of the Additional Public Prosecutor (TG) on behalf of the Respondent No.1

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.2 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 and 2 to quash the proceedings against them in S.C.No.8 of 2022 pending on the file of Sessions Judge, Court for SC/ST Cases at Nalgonda. The offences alleged against them are under Sections 324 and 504 read with 34 of Indian Penal Code (for short "IPC") and Sections 3(1)(r)(s) and 2(2)(va) of SCs/STs (POA) Amendment Act, 2015.

2. Heard learned counsel for the petitioners-Accused Nos.1 and 2 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 Nos.1 and 2.

4. Thus, having regard to the facts and circumstances of the case, the attendance of the petitioner – Accused No.2 is dispensed

with in S.C.No.8 of 2022 pending on the file of Sessions Judge, Court for SC/ST Cases at Nalgonda, when represented by his counsel on record. The attendance of the petitioner is dispensed with subject to filing an affidavit by him stating that in his absence the proceedings conducted by his counsel will not be disputed by him in any manner and also he shall not dispute his identity. However, the petitioner shall appear before the learned Magistrate as and when his presence is required. In the event of the failure of the petitioner 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.1 is concerned.

5. Accordingly, the Criminal Petition is disposed of. Needless to say, in the event of the petitioner 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.

Sd/- R. KARTHIKEYAN
ASSISTANT REGISTRAR

SECTION OFFICER

//TRUE COPY//

To,

1. The Judicial First Class Magistrate at Thungathurthy.
2. The Station House Officer, Arvapalli Police Station, Nalgonda District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. (OUT)
4. One CC to M/S. D.Y.L.N. CHARYULU, Advocate [OPUC]
5. Two CD Copies.

Njb

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HIGH COURT

KS,J

DATED:03/01/2023

ORDER

CRLP.No.2 of 2023



DISPOSING OF THE CRIMINAL PETITION.

⑧ Copies

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28/1/23