

IN THE HIGH COURT FOR THE STATE OF TELANGANA

**WEDNESDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

CRIMINAL PETITION NO: 15395 OF 2014

Between:

M.RUPA RATHNA, D/o Nageswara Rao, Occ Private Service, R/o. Plot No. 404,
Anupama Towers, Bhagyanagar Colony, KPHB, Hyderabad.

...Petitioner

AND

1. D.RATNAKUMARI, W/o late Vincent Vedamani Konatam, R/o 8-3-228/544, o
Rahmathnagar, Yousufguda, Hyderabad.
2. The State of Telangana, Rep. by its Public Prosecutor, High Court of
Hyderabad for the State of Telangana and for the State of Andhra Pradesh,
Hyderabad.

...Respondents/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 notice bearing Dis No. 874/11 MM/Rly/SC/2014, dated 28-10-2014 issued by the learned II Metropolitan Magistrate, Railways, Secunderabad in Crime NO. 263/2012 of Railway Police Station, Hyderabad.

I.A. NO: 1 OF 2014 (CRLPMP. NO: 16407 OF 2014)

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 grant stay of all further proceedings in Crime No. 263 of 2012 of Railway Police Station, Hyderabad pending on the file of the II Metropolitan Magistrate for Railways, Secunderabad including appearance of the petitioner pending disposal of the above Cr.P. and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case. Hyderabad.

I.A. NO: 1 OF 2015 (CRLPMP. NO: 810 OF 2015)

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 extend the interim orders passed in Crl.P.No.15395 of 2014 dt.16.12.2014 till the disposal of the above Crl.P.

I.A. NO: 1 OF 2019

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 extend the interim orders granted on 16/12/2014 in Crl.P.No. 15395 of 2014 until further orders in the interest of justice and to pass such other order or orders as this Honourable Court may deem 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 I GOPAL REDDY, Advocate for the Petitioner and the Public Prosecutor for the State of Telangana on behalf of the Respondent No.2 and None Appeared for the Respondent No. 1.

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE E.V.VENUGOPAL

CRIMINAL PETITION No.15395 of 2014

ORDER :

Heard Sri I. Gopal Reddy, learned counsel for the petitioner and Sri Khaza Vizarath Ali, learned Assistant Public Prosecutor representing learned Public Prosecutor is present.

2. This criminal petition is filed under Section 482 of Cr.P.C with a prayer to quash the proceedings in notice bearing Dis.No. 874/II MM/Rly/SC/2014, dated 28.10.2014 on the file of learned II Metropolitan Magistrate, Railways, Secunderabad in Crime No. 263/2012 of Railway Police Station, Hyderabad.
3. This Court in its order dated 16.12.2014 granted interim stay of all further proceedings in Crime No. 263/2012 of Railway Police Station, Hyderabad up to 20.01.2015, petitioner is also permitted to take out personal notice to respondent No. 1 by registered post with an acknowledgment due and to file proof of service in the registry within a stipulated time failing which, the interim order granted shall stand vacated automatically. The learned counsel for the petitioner filed proof of service, vide USR No. 3678 of 2014.
4. Learned counsel for the petitioner fairly submits that under the same set of facts, taking into consideration the submissions made by the learned Public Prosecutor, this Court dismissed the Criminal Petition No.13943 of 2014, as infructuous. The petitioner herein also stands on the same footing as that of

the petitioners in the above criminal petition. The learned Assistant Public Prosecutor also concedes the same.

5. A cogent reading of the present case as well as the order passed in Criminal Petition No.13943 of 2014, would show that the petitioners in the above criminal petition are suspect Nos.1, 5 to 7 in Cr.No.263 of 2012 on the file of the Railway police station, Hyderabad. They challenged the notice dated 29.10.2014 in Dis.No.874/II.M.M/Rly/SC/2014, whereunder the Railway Police have intended to conduct polygraph test to the suspects. In that case, since the learned Public Prosecutor submitted that the investigating agency was not intending to subject the suspects to any such test, this Court dismissed the above criminal petition as having become infructuous. Now the petitioner in the present case is suspect No.4 in the above crime.

6. In that view of the matter, since the petitioner herein also stands on the same footing as that of the petitioners in the above criminal petition, this criminal petition is also liable to be dismissed as infructuous.

7. Accordingly, this criminal petition is dismissed. No costs. Miscellaneous petitions, if any pending in the criminal petition, shall stand closed.

//TRUE COPY//

SD/- K.AMMAJI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The II Metropolitan Magistrate, (For Railways), Secunderabad,
2. The Station House Officer, Railway Police Station, Hyderabad.
3. One CC to SRI I GOPAL REDDY Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT].
5. Two CD Copies.

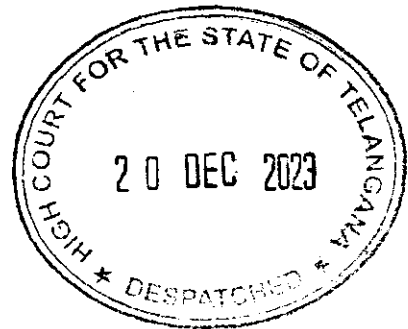
HIGH COURT

EVV, J

DATED: 21/06/2023

ORDER

CRLP.No.15395 of 2014



DISMISSED THE CRL.P

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K. S. S. S.

20/12/2023