

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**THURSDAY ,THE ELEVENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI

CRIMINAL PETITION NO: 506 OF 2024

Between:

MUKARA RADHA, W/o. Srinivasa Rao, aged about 41 years, Occ. House Wife, R/o. H.No. 3-36/1, Nuthanakai Village and Post, Thallada Mandal, Khammam District.

...PETITIONER/ACCUSED

AND

1. The State of Telangana, rep.by its Public Prosecutor, High Court of Telangana at Hyderabad, Through Thallada PS, Khammam District.

...RESPONDENT/COMPLAINANTS

2. Thatikonda Kamalakar, S/o. Pullaiah, aged about 64 years, Occ. Cultivation, R/o. Nuthanakal Village and Post, Thallada Mandal, Khammam District.

...RESPONDENT/COMPLAINANTS

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 pertaining to the proceedings in C.C.No.440 of 2023 the Additional Judicial First Class Magistrate at Madhira, Khammam District and quash the same.

I.A. NO: 1 OF 2024

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 C.C.No.440 of 2023 Additional Judicial First Class Magistrate at Madhira, Khammam District, pending disposal of the quash petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri KRISHNA KISHORE KOVVURI ,Advocate for the Petitioner and the Public Prosecutor (TG/AP) on behalf of the Respondent No. and of Sri_Advocate for the Respondent No.

The Court made the following: ORDER

THE HONOURABLE SMT. JUSTICE T. MADHAVI DEVI

CRIMINAL PETITION NO.506 OF 2024

ORDER

Though the petitioner has sought quashing of the proceedings in C.C.No.440 of 2023 on the file of the Additional Judicial First Class Magistrate at Madhira, Khammam District (for short, 'the trial Court'), at the time of hearing, the learned counsel for the petitioner restricted the prayer to dispensing with the appearance of the petitioner before the trial Court.

2. Learned Assistant Public Prosecutor is also heard.
3. In view of the fact that the petitioner is a woman and seeking only dispensing with her appearance before the trial Court, this Court is inclined to dispense with her appearance before the trial Court and the Criminal Petition is disposed of with the following directions:

- i) The appearance of petitioner herein is dispensed with in C.C.No.440 of 2023 on the file of the Additional Judicial First Class Magistrate at Madhira, Khammam District, subject to the

condition that the counsel representing the petitioner appears before the trial Court on every date of hearing.

ii) The appearance of petitioner is dispensed with subject to filing of an affidavit by the petitioner stating that in her absence the proceedings conducted by her counsel will not be disputed by her in any manner and shall not dispute her identity also.

iii) However, the petitioner herein shall appear before the trial Court as and when her presence is required. In the event of failure of the petitioner herein to appear before the trial Court when the Court directs, this order of dispensing with her appearance shall stand cancelled.

4. Pending miscellaneous petitions, if any, in this Criminal Petition shall stand closed.

**SD/- B.SARASWATHI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Additional Judicial First Class Magistrate at Madhira, Khammam District
2. One CC to the S.H.O., P.S. Tallada, Khammam District.
3. One CC to SRI. KRISHNA KISHORE KOVVURI Advocate [OPUC]
4. One CC to THE PUBLIC PROSECUTOR, HIGH COURT, HYD. [OUT]
5. Two CD Copies

NS

Handwritten signature

HIGH COURT

DATED:11/01/2024

ORDER

CRLP.No.506 of 2024



CRLP. IS DISPOSED OF

⑦
13/2/24
HVS