

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

**TUESDAY, THE TWENTY THIRD DAY OF JANUARY
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI

CRIMINAL PETITION NO: 749 OF 2024

Between:

1. Pakala Venkat reddy, S/o. Adhi Reddy, aged about 64 years, Occ: Business, R/o H. No. 2- 4- 1204/19, TV tower colony Hanamkonda.
2. Pakala Padmaja, W/o Pakala Venkat reddy, aged about 61 years, Occ: house wife, R/o H. No. 2- 4- 1204/19, TV tower colony Hanumakonda

...Petitioner/Accused 1 and 2.

AND

1. State of Telangana, Rep by its Public Prosecutor, High court at Hyderabad.
2. Abba Mahender Reddy, S/o Mohan reddy, aged about 49 years, Occ: Business, R/o H. No. 2- 4- 1204/19, KUDA colony Hanamkonda.

...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 relating to CC NO. 7226/2022 on the file of the II Additional Judicial Magistrate of First class at Hanamkonda and to quash the same to the extent of petitioners/ Accused No. 1 and 2.

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 grant stay of all further proceedings in CC No. 7226/2022 on the file of II Additional Judicial Magistrate of First class at Hanamkonda inducing the appearance of the petitioners/Accused No. 1 and 2.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri GUDI MADHUSUDHAN REDDY, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No.1 and for the Respondent No.2 None Appeared either in person or by Advocate.

The Court made the following: ORDER

THE HONOURABLE SMT. JUSTICE T. MADHAVI DEVI

CRIMINAL PETITION NO.749 OF 2024

ORDER:

In this criminal petition, the petitioners, who are A.1 & A.2, seek to quash the proceedings against them in C.C. No. 7226 of 2022 pending on the file of II Additional Judicial Magistrate of First Class at Hanamkonda.

Though the learned counsel for the petitioners has made submissions that the Police could not have changed the section of law in the charge sheet which was filed on 23.09.2022, which was returned and ultimately filed on 22.10.2022, this Court finds that there is no embargo on the Police in altering the Section of law before the charge sheet is numbered. Therefore, this Court is not inclined to entertain the Criminal Petition at this stage. However, the learned counsel for the petitioners submitted that the petitioner No. 2/A.2, who is wife of petitioner No. 1/A.1, is senior citizen and therefore, her appearance before the trial Court may be dispensed with.

In view of the above, as the petitioner No. 1, being the husband of petitioner No. 2, is appearing before the trial Court, the appearance of petitioner No. 2 is dispensed with before the

trial Court unless her presence is specifically required during the course of trial.

Accordingly, the Criminal Petition is disposed of.

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

Sd/- V. KAVITHA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The II Additional Judicial Magistrate of First class at Hanamkonda
2. The Station House Officer, Hanamkonda Police Station, Hanamkonda District.
3. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
4. One CC to Sri. GUDI MADHUSUDHAN REDDY, Advocate [OPUC]
5. Two CD Copies

PSR

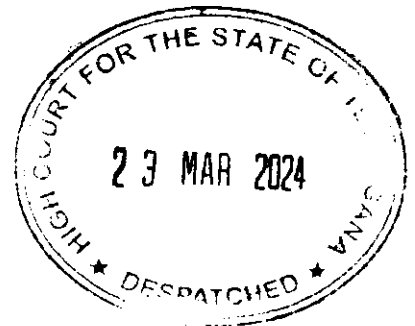
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HIGH COURT

DATED:23/01/2024

ORDER

CRLP.No.749 of 2024



DISPOSING OF THE CRIMINAL PETITION .

⑧ CR
6/3/24