

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

**TUESDAY, THE SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 2625 OF 2024

Between:

Chaga Mallikarjun Reddy, S/o Yanadi Reddy, Aged. 45 yrs, Occ. Business,
Kachiguda Station, South Central Railway, R/o 170, Sri Laxmi Venkataramana Mill,
Aiza Road, Paramala, GADWAL Rural.

...Petitioner No.1

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court at Hyderabad.
2. D. Venugopal, Occ. DRO, Jogulamba GADWAL DISTRICT

...Respondents/Defacto 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 quash the proceedings in C.C.No. 1265 of 2019 on the file of the Judicial First Class Magistrate at Gadwal, against the Petitioner/Accused.

I.A. NO: 2 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. 1265 of 2019 on the file of the Judicial First Class Magistrate at Gadwal including the execution of Non Bailable Warrant against the Petitioner/Accused pending disposal of the Main Quash Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri P Vamsheedhar Reddy, Advocate for the Petitioner and Sri S. Ganesh, Assistant Public Prosecutor on behalf of the Respondent No.1 and Respondent No.2 is not appearing either in Person or by Advocate.

The Court made the following ORDER:

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.2625 of 2024

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioner, who is arrayed as accused No.1, seeking to quash the proceedings against him in C.C. No.1265 of 2019 on the file of Judicial First Class Magistrate at Gadwal, registered for the offences punishable under Section 374 of the Indian Penal Code and Sections 3, 7, 8 and 14 of the Child Labour Act, 1986.

2. Heard Mr. P. Vamsheedhar Reddy, learned counsel for the petitioner, and Mr. S. Ganesh, learned Assistant Public Prosecutor for respondent No.1-State.

3. Learned counsel for the petitioner would submit that the offences in the present case took place in December, 2017, whereas the police registered the case for the offences under Section 374 of the Indian Penal Code and Sections 3, 7, 8 and 14 of the Child Labour Act, 1986 (for short, '1986 Act'). He further submits that the 1986 Act was amended as Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 on 01.09.2016. In view of the amended Act, Sections 7 and 8 of the

Act, 1986 are not applicable in the present case as they pertain to adolescent. So far as Section 374 of IPC is concerned, in the statements of alleged victims, there is no whisper of any allegations to constitute such offence. Further, Section 374 is not applicable. He further stated that Section 3 of the 1986 Act is a cognizable offence. As per the amended Act, Section 14 D (1) offence is cognizable under Section 3 is compoundable.

4. In view of the aforesaid submission, the trial Court is directed to consider the application of the petitioner for compounding the offence under Section 3 of the Act.

5. Accordingly, the Criminal Petition is disposed of .

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

//TRUE COPY//

Sd/- V. HARI PRASAD
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Judicial First Class Magistrate, Gadwal, Gadwal District.
2. The Station House Officer, Gadwal Rural Police Station, Gadawal District.
3. Two CCs to Public Prosecutor, High Court of Telangana, [OUT]
4. One CC to Sri P Vamsheedhar Reddy, Advocate [OPUC]
5. Two CD Copies

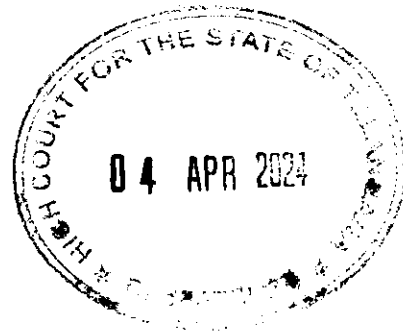
Jgk/kam



HIGH COURT
DATED:02/04/2024

ORDER

CRLP.No.2625 of 2024



DISPOSING OF THE CRIMINAL PETITION

(8)

4/4/24

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