

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

WEDNESDAY, THE TWENTY FIRST DAY OF AUGUST
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 9005 OF 2023

Between:

1. Theegala Ajay Goud, Shekar Goud Age. 34 years, Caste. Goud, Occ.Business, R/o H.No.7-8-136, Market Area, Gandhi Chowk, Sircilla.
2. Vodnala Vikram, S/o Lachaiiah, Age. 32 years, Caste. Rajaka ,Occ.employee, R/o H.No.4-2-63, Dhobigally, Sircilla.
3. Vemulawada Krishna, S/o.Lasmaiah, Age. 35 years. Caste. Rajaka,Occ.employee, R/o H.No.4-3-12, Dhobigally, Sircilla.
4. Kasarla Parsharamulu, S/o Venkati, Age. 30 years, Caste. Rajaka occ employee, R/o H.No.4-3-22, Dhobigally Sircilla

...Petitioner/Accused No.1 to 4

AND

1. The State of Telangana, Rep. by its Public Prosecutor High Court for the State of Telangana at Hyderabad.
2. Gampa Ram Prasad, S/o Maruthi Aged about 57 years, occ. Business Resident at Vemulawada C/o Shiva Bar and Restaurant Old Bus Stand, Sircilla.

...Respondent/Complainant

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 C.C.No.921 of 2022 on the file of Judicial First Class Magistrate at Sircilla and quash the same.

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 grant stay of all the further proceedings including the appearance of the Petitioners/ Accused No.1 to 4 in C.C.No.921 of 2022 on the file of Judicial First Class Magistrate at Sircilla pending disposal of the above criminal petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri M S Achyuth Bharthwaj, Advocate for the Petitioners and the Assistant Public Prosecutor on behalf of the Respondent No 1 and none appeared for the Respondent No 2.

The Court made the following: ORDER

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.9005 of 2023

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') to quash the proceedings against the petitioners/accused Nos.1 to 4 in C.c.No.921 of 2022 on the file of the learned Judicial Magistrate of First Class, Sircilla, registered for the offences punishable under Sections 379, 420, 471 and 506 read with 34 of the Indian Penal Code, 1860 (for short 'IPC').

2. After arguing for some time, when this Court has expressed its opinion stating that the said contentions are disputed questions of fact which need to be gone into by the trial Court, learned counsel for the petitioners restricted their prayer to the extent of dispensing with the presence of the petitioners before the trial Court.

3. Hence, if there are no warrants issued against the petitioners, the appearance of the petitioners before the trial Court is dispensed with unless their presence is specifically required during the course of trial, subject to the condition

that the petitioners are being represented by their counsel on every date of hearing.

4. Accordingly, the Criminal Petition is disposed of.

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

SD/- T TIRUMALA DEVI,
ASSISTANT REGISTRAR.

//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Sircilla
2. The Station House Officer, Sircilla Police Station, Rajanna Sircilla District
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
4. One CC to Sri M S Achyuth Bharthwaj, Advocate [OPUC]
5. Two CD Copies

ADK

Pme.

HIGH COURT

DATED:21/08/2024

ORDER

CRLP.No.9005 of 2023



DISPOSING OF THE CRLP

⑧ PUG,
19/10/24