IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE THIRD DAY OF FEBRUARY TWO THOUSAND AND TWENTY FIVE

:PRESENT:
THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

IA No. 1 OF 2025
IN
CRLP NO: 1382 OF 2025

Between:

Mr. MRK Prasad Rao, S/o. Mr. M. Venkat Rao, Occ. Business, R/o. H. No. 93, Road No. 36, Jubilee Hills, Hyderabad - 500033.

...Petitioner/Accused
(Petitioner in CRLP 1382 OF 2025
on the file of High Court)

AND

AND

1. State of Telangana, Rep. by Station House Officer, Jubilee Hills Police Station, Through Public Prosecutor, High Court for the State of Telangana, Hyderabad. ..Respondent No.1
2. Mr. Suvankar Maity, S/o Sahadev Maity, Occ. Labourer, R/o Biodiversity, Labout Camp, Opp. Rayadurgam PS, Gachibowli, Hyderabad.

...Respondent No.2/Complainant
(Respondents in-do-)

Counsel for the Petitioner : Sri Vikram Pooserla, Senior Counsel appearing on behalf of Ms. Siva Praneetha Sreeramula

Counsel for the Respondent No.1 : Sri Jithendar Rao Veeramalla, Addl. PUBLIC PROSECUTOR

Petition under Section 528 of BNSS praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings including arrest of the Petitioner/Accused in CC No. 8263 of 2020 on the file of XVII Addl. Chief Metropolitan Magistrate, Nampally, pending disposal of CRLP No. 1382 of 2025, on the file of the High Court.

The Court made the following

ORDER:

This Interlocutory Application is filed seeking stay of all further proceedings including the arrest of petitioner/accused in C.C.No.8263 of 2020 on the file of XVII Additional Chief Metropolitan Magistrate at Nampally, registered for the offence under Section 304-A of IPC.

Heard Sri Vikram Pooserla, learned Senior Counsel appearing for Ms. Siva Praneetha Sreeramula, learned counsel for petitioner-accused and Sri

V.Jithender Rao, learned Additional Public Prosecutor for the State and perused the record.

Learned Senior Counsel appearing for the petitioner submitted that the petitioner is nothing to do with the alleged offence. He further submits that ingredients of the offence alleged against the petitioner is not attracted. The respondents have failed to establish how the present case falls within the purview of Section 304-A of IPC. He further submits that the death of the deceased was caused during the course of work and was purely accidental. He further submits that initiation of proceedings against the petitioner is abuse of process of law. Therefore, he prayed to grant stay of all further proceedings against the petitioner/accused in C.C.No.8263 of 2020 on the file of XVII Additional Chief Metropolitan Magistrate at Nampally.

On the other hand, learned Additional Public Prosecutor for the State submitted that there are specific allegations against the petitioner and prayed to dismiss this petition.

Having heard and perused the material on record, it is apparent that the deceased died during the course of work and the same was purely accidental. This matter requires detailed examination.

However, in the meantime, there shall be stay of all further proceedings in C.C.No.8263 of 2020 on the file of XVII Additional Chief Metropolitan Magistrate at Nampally, till 28.04.2025.

Sd/- L. VIJAYA LAKSHMI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XVII Additional Chief Metropolitan Magistrate at Nampally.
2. The Station House Officer, P.S. Jubilee Hills, Hyderabad
3. Mr. Suvankar Maity, S/o Sahadev Maity, Occ. Labourer, R/o Biodiversity, Labout Camp, Opp. Rayadurgam PS, Gachibowli, Hyderabad. (BY RPAD)
4. One CC to Ms. Siva Praneetha Sreeramula, Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. (OUT)
6. One spare copy

Note: In the 2nd line of 2nd paragraph of the order the Advocate name is corrected as "Ms. Siva Praneetha Sreeramula" in place of "Sri MRK PrasadRao" as per court order dt. 11-02-2025 made in Crl.P.No.1382/2025.

Substitute this amended order inplace of previous order which was already dispatched on 06-02-2025.

Sd/- L. VIJAYA LAKSHMI
ASSISTANT REGISTRAR

HIGH COURT

JS,J

DATED:03/02/2025
11/02/2025

AMENDED
ORDER

I.A.NO. 1 OF 2025
IN
CRLP.No. 1382 of 2025

STAY