

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

WEDNESDAY, THE THIRTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No: 6123 of 2025

Between:

1. Vipparla Vijay Kumar, S/o. Venkateshwarlu, Age: 41 years, Occ: Business, R/o. Block - C, 105, Manjeera Towers, Nallagandla, KV Ranga Reddy district, Now at H.No.11-4-73/70. CRG Towers, Flat No.305, Nehru Nagar, Beside, DMR Head Office, Khammam.
2. Pabbisetty Aravinda, D/o.Nageshwara Rao, Age. 39 years, Occ. Housewife, R/o.H.No. 11-4-73/17, Nehru Nagar, Khammam.
3. Vipparla Venkateshwar, S/o. Venkatramaiah, Age: 65 years, Occ: Agriculture, R/o. 11-4-73/17, Nehru Nagar, Khammam.
4. Vipparla Padmavathi, W/o. Venkateshwarlu, Age. 60 years, Occ. Housewife. R/o. 11-4-73/17, Nehru Nagar. Khammam.

...Petitioner/Accused No.1 to 4

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court of Judicature at Hyderabad Through Khanapur Haveli Police Station, Khammam District, Hyderabad.
...Respondent
2. Potluri Rama Chowdary, W/o.late Mallikarjun, Age. 62 years, Occ. Housewife, R/o.Flat No.203, Lake View residency, Mamatha Hospital Road, Khammam

...Respondent/de-facto Complainant

Petition under Section 528 of BNSS 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 in connection with CC.No.2383 of 2024, including Cognizance order on the file of the Hon'ble II Additional Judicial First Class Magistrate At Khammam, registered under sections 420, 468, 471, 294(b), 506 R/w.34 of IPC. and quash the same by allowing the above petition.

I.A. NO: 1 OF 2025

Petition under Section 528 of BNSS 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 including appearance of the

Petitioners/Accused No.1 to 4 in CC. No. 2383 of 2024 on the file of the Hon'ble II Additional Judicial First Class Magistrate At Khammam, 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 Mr. Mummaneni Srinivasa Rao, Advocate for the Petitioners and the Mr. Jithender Rao Veeramalla, Additional 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 SRI JUSTICE N. TUKARAMJI

CRIMINAL PETITION No.6123 of 2025

ORDER:

This Criminal Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS, 2023') seeking quashment of the proceedings in C.C.No.2383 of 2024 on the file of the II Additional Judicial Magistrate of First Class, Khammam against the petitioners.

2. Heard Mr. Mummaneni Srinivasa Rao, learned counsel for the petitioners and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for the respondent No.1-State.

3. The petitioners are arrayed as accused Nos.1 to 4 in C.C.No.2383 of 2024 registered for the offences under Section 420, 468, 471, 294(b), 506 r/w 34 of IPC.

4. Learned counsel for the petitioners would submit that though the petitioners are resolved to face the proceedings, their presence before the trial Court on each adjournment is causing severe difficulty and affecting their employment. Therefore, prayed for dispensing with their personal appearance unless it is required for the proceedings and such direction would redress their grievance. However, undertakes to personally appear as and when directed by the trial Court.

5. Learned Additional Public Prosecutor submits that there is no specific objection for the prayer, however pleaded for a direction for

appearance of the petitioners on the material stages in the proceedings.

6. Having regard to the submissions, subject to the petitioner Nos.2 to 4/A-2 to A-4 appearance through their counsel on every adjournment and the their personal appearance as and when directed by the Court, the personal presence of the petitioner Nos.2 to 4/A-2 to A-4 in the proceedings of C.C.No.2383 of 2024 on the file of the II Additional Judicial Magistrate of First Class, Khammam, is dispensed with. Additionally it is specified that any lapse in abiding the above conditions would automatically annul this order.

7. In so far as the petitioner No.1/accused No.1, the petition is dismissed.

8. With this direction, this Criminal Petition is disposed of.

Miscellaneous petitions, pending if any, shall stand closed.

**SD/- A.PRATHIMA
DEPUTY REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The II Additional Judicial First Class Magistrate at Khammam
2. The Station House Officer, Haveli Police Station, Khammam District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to Mr. Mummaneni Srinivasa Rao, Advocate [OPUC]
5. Two CD Copies

Kam/PSL

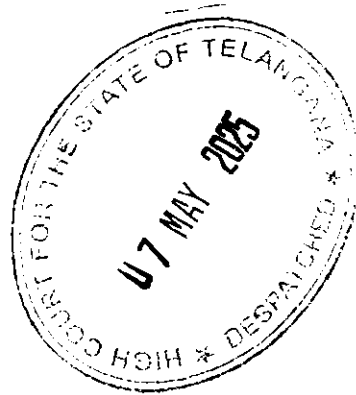
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HIGH COURT

DATED:30/04/2025

ORDER

CRLP.No.6123 of 2025



**DISPOSING OF THE
CRIMINAL PETITION**

⑧
kpe
7/5/25