

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

WEDNESDAY, THE TENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION NO: 8776 OF 2024

Between:

1. Adapa Kistaiah, S/o. Padmaiah Aged 62 years, Caste Ellapi, Occ. Agriculture, R/o. Manakondur Village and Mandal, Karimnagar District.
2. Adapa Hemavathi, D/o. Kistaiah, Aged 28 years, Caste Ellapi, Occ. Household, R/o. Mankondur village and Mandal, Karimnagar District.

...Petitioner/Accused

AND

1. The State of Telangana,, Rep. by Public Prosecutor, High Court for the State of Telangana, Hyderabad, Through PS, Manakondur.
...Respondent/Complainant
2. Gade Karunakar Rao, S/o. Rajeshwar Rao Aged 38 years, Caste. Ellapi, R/o.Manakondur, Now at Karimnagar.
...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 **Quash** the proceedings in C.C.No.1951 of 2022, on the file of the Special Judicial Magistrate of First Class (Excise), at Karimnagar, in the interest of justice.

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 **Stay** all further proceedings in C.C.No.1951 of 2022, on the file of the Court of Special Judicial Magistrate of First Class (Excise), at Karimnagar, including personal appearance of petitioner before the trial Court, pending disposal of Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Mr T. RAMCHANDRA RAO, Advocate for the Petitioners and Mr M. RAMAHCNADRA REDDY, the Additional Public Prosecutor on behalf of the Respondent No.1 and none appeared for the Respondent No.2

The Court made the following: ORDER

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

THE HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.8776 OF 2024

10TH DECEMBER, 2025

Between:

Adapa Kistaiah and 1 other.

... Petitioners

AND

The State of Telangana

Rep. by Public Prosecutor and 1 other

... Respondents

ORDER:

This Criminal Petition is filed by the petitioners/accused Nos.1 and 2 seeking to quash the proceedings against them in C.C.No.1951 of 2024 on the file of Special Judicial Magistrate of First Class (Excise), at Karimnagar registered for the offences under sections 341, 504, 506 read with 34 of Indian Penal Code (for short 'IPC').

2. The brief facts of the case are that on 02.08.2022 at 11.15 hrs, while the complainant was cleaning his land for constructing a new house in his site, after obtaining permission from Grampanchayat, Manakondur, accused persons picked up quarrel with him and obstructed the work. Hence, he lodged a complaint before Manakondur Police Station, which was

registered as crime No.168 of 2022 for the offences punishable under sections 341, 504, 506 read with 34 of IPC.

3. Heard Mr.T.Ramachander Rao, learned counsel for the petitioners and Mr.M.Ramachandra Reddy, learned Additional Public Prosecutor for respondent-State. Perused the record.

4. Learned counsel for the petitioners submits that the allegations levelled against the petitioners/accused Nos.1 and 2 by the 2nd respondent are false and baseless and that the petitioners never interfered with the land of the 2nd respondent. It is submitted that when the petitioners questioned their share over the said land, the 2nd respondent by side tracking the issue, filed a complaint before police, Manakondur. It is further submitted that the petitioner No.1 filed a suit in O.S.No.218 of 2022 on the file of the Court of II Additional Principal Junior Civil Judge, at Karimnagar against the 2nd respondent herein namely Gade Karunakar and two others, seeking declaration of title and perpetual injunction and to declare the registered documents as null and void and not binding on the petitioner No.1 herein, and the said suit was filed on 21.03.2022, whereas the present complaint filed by the 2nd respondent on 27.08.2022, pending civil suit i.e. O.S.No.218 of 2022, the 2nd respondent herein, who is defendant No.3 in said suit without narrating the facts to the police had filed the present complaint which is not correct, therefore, the petitioners are entitled for quash of the C.C.No.1951 of 2022. He further submits that 2nd respondent by manipulating the documents obtained

permission from Grampanchayat, Manakondur, on the basis of false documents. Therefore, petitioner No.1 filed a suit against the 2nd respondent on the file of the Court of II Additional Principal Junior Civil Judge, at Karimnagar.

5. He further submits that no independent witnesses were examined in this matter. As per the prosecution case, one car driver and the reporter who belong to other adjacent village were examined and prosecution has not properly investigated the case and prima facie, there is no allegation made out against the petitioners and the ingredients of the offences are not attracted. Hence, prays to allow the criminal petition.

6. Learned Additional Public Prosecutor for the State submitted that there are specific allegations against the petitioners and the truth or otherwise would come out only after conducting trial by the concerned Court and prayed to dismiss this Criminal Petition.

7. On perusal of the record, it reveals that a civil suit has been instituted by the petitioner/accused No.1 on 21.03.2022 vide O.S.No.218 of 2022 against the defacto complainant, whereas the present complaint was filed by the 2nd respondent, subsequently on 27.08.2022 vide C.C.No.1951 of 2022 against the petitioners, pending civil suit. In view of the said circumstances, it appears that the matter is primarily out of civil dispute and has no criminal element and the entire criminal proceedings initiated against

the petitioners is nothing but an abuse of the process of law, which is given a criminal colour to a civil dispute to settle the scores between the parties. Hence, the offences under sections 341, 504, 506 read with 34 of IPC are not made out and the allegations against the petitioners are not maintainable.

8. In view of the facts and circumstances of the case, this Court is of the considered opinion that the continuation of the proceedings against the petitioners-accused Nos.1 and 2 amounts to abuse of process of law and are liable to be quashed.

9. Accordingly, this Criminal Petition is allowed and the proceedings against the petitioners/accused Nos.1 and 2 in C.C.No.1951 of 2022 on the file of Special Judicial Magistrate of First Class (Excise) at Karimnagar, are hereby quashed.

Miscellaneous petitions pending, if any, shall stand closed.

Sd/- M. NAGAMANI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Special Judicial Magistrate of First Class (Excise), at Karimnagar
2. The Station House Officer, Manakondur Police Station, Karimnagar Dist.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad. [OUT]
4. One CC to Mr. T. Ramchandra Rao, Advocate [OPUC]
5. Two CD Copies

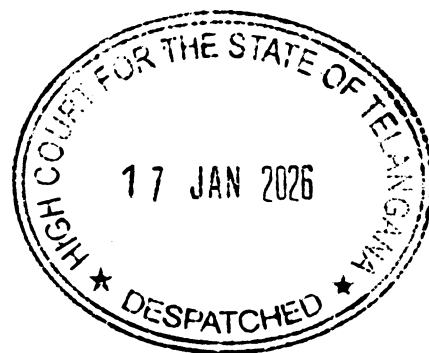
PR

JKS

HIGH COURT

JS, J

DATED: 10/12/2025



ORDER

CRLP.No.8776 of 2024

Accordingly, this Criminal Petition is Allowed.

⑧-JKS
3/1/26