

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

WEDNESDAY, THE TWENTY FOURTH DAY OF SEPTEMBER  
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 12577 OF 2025

Between:

1. Kavita Chandragiri,, W/o.Dr.Srikanth, Aged about 44 years, Occ. Doctor, R/o.Flat No.402, Apuroopa Apartment, Motilal Nehru Nagar, Begumpet, Hyderabad.
2. Shrikant Babanrao Wadekar,, S/o.Babanrao Rajabhau Wadekar, aged about 47 years, Occ. Doctor, R/o.Flat No.402, Apuroopa Apartment, Motilal Nehru Nagar, Begumpet, Hyderabad

...PETITIONERS/ACCUSED No.1 and 2

AND

1. The State of Telangana,, represented by its Public Prosecutor High Court for the State of Telangana at Hyderabad
2. Smt.Ami Shah,, W/o.Rakesh Shah, Age. 44 years, Occ. Home maker, R/o.Flat No.502, Apuroopa Apartment, Motilal Nehru Nagar, Begumpet, Hyderabad

...RESPONDENTS/COMPLAINANTS

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 relating to C.C.No.465 of 2025 pending on the file of the XI Additional Chief Judicial Magistrate at Secunderabad and quash the same.

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 in C.C.No.465 of 2025 pending on the file of the XI Additional Chief Judicial Magistrate at Secunderabad, pending disposal of the criminal petition and pass.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri MOHD SUBHAN PASHA, Advocate for the Petitioner and Sri Jithender Rao Veeramalla, 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

**THE HON'BLE SMT.JUSTICE TIRUMALA DEVI EADA**

**CRIMINAL PETITION No.12577 of 2025**

**ORDER:-**

1. This Criminal Petition is filed under Section 523 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 seeking to quash the proceedings against the petitioners/accused Nos.1 & 2 in C.C.No.465 of 2025, on the file of the learned XI Additional Chief Judicial Magistrate at Secunderabad.
2. Heard Mr.A.Dheeraj, learned counsel representing Sri Mohd.Subhan Pasha, learned counsel on record for the petitioners/accused Nos.1 & 2 as well as Sri Jitender Rao Veeramalla, the learned Additional Public Prosecutor appearing for the respondent No.1-State.
3. Learned petitioners' counsel submitted that the allegations against the petitioners herein are false and that there was a small altercation between the tenants in the Apartment and that there is no offence, as such, committed by the petitioners herein with regard to the plants grown on the terrace. There was some difference of opinion between the petitioners and the defacto complainant and hence an incident occurred, but the petitioners never caused any injuries on the de facto complainant or her family members. He

therefore prayed to quash the proceedings against the petitioners. He further submitted that the Medical Certificate filed by the prosecution disclose only simple injuries and therefore, the offences alleged do not get attracted against the petitioners and hence prayed to quash the proceedings against the petitioners.

4. The learned Additional Public Prosecutor has submitted that the contents of the complaint points out *prima facie* case against the petitioners. He further submitted that the Doctors who issued Medical Certificate are also listed as LWs 9 & 10 in the charge sheet and that their evidence is also of utmost importance before the Trial Court to prove the offences against the petitioners and therefore prayed to dismiss the petition.

5. Perused the record. The contents of the complaint point out the allegations against the petitioners. Even according to the submission of the petitioners' counsel, there was some altercation with regard to plantation on terrace. The veracity of the witnesses and the strength of the Medical Certificate need to be tested during the course of trial.

6. Hence, the Criminal Petition is disposed of dispensing with the presence of the petitioners/accused Nos.1 & 2 before the Trial Court provided that the petitioners are represented through an Advocate

on every date of hearing and that they shall be present before the Trial Court whenever they are specifically required during the course of trial.

7. Miscellaneous petitions pending, if any, shall stand closed.

SD/- B.REKHA RANI  
ASSISTANT REGISTRAR

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SECTION OFFICER

To,

1. The XI Additional Chief Judicial Magistrate at Secunderabad
2. The Station House Officer, Police Station, Begumpet, Hyderabad
3. Two CCs to the PUBLIC PROSECUTOR, High Court at Hyderabad. (OUT)
4. One CC to SRI MOHD SUBHAN PASHA Advocate [OPUC]
5. Two CD Copies

TPK/PSL

*[Signature]*

HIGH COURT

DATED:24/09/2025



ORDER

CRLP.No.12577 of 2025

CRIMINAL PETITION IS DISPOSED OF

⑧

k.p.v.  
17/10/25