

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

**THURSDAY, THE SIXTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 13569 OF 2025

Between:

Lunavath Gopi @ Dr. Gopi @ Dr. Gopi Lunavath, S/o. Bhav singh Lunavath,
Age. 40 Years, Occ. Doctor, R/o. H. No. 6-2-85/A, Bakkarupla Thanda,
Maripeda Mandal, Mahabubabad District, Telangana - 506315

...PETITIONER/ACCUSED

AND

1. The State of Telangana, through S.H.O. P.S. Mahabubabad, Mahabubabad District, Represented by Public Prosecutor, High Court at Hyderabad

...RESPONDENT

2. Mohammad Shirin Farjana, D/o. Mohammad Musthafa Age. 29 Years,
Occ. Nursing Officer, R/o. Kankaraboard, Mahabubabad Town and District,
Telangana - 506101,

...RESPONDENT NO. 2/DEFACTO-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 quash the Charge sheet in C.C. No. 1270 of 2024, pending before the Hon'ble Principal Judicial First Class Magistrate at Mahabubabad, Mahabubabad District.

I.A. NO: 2 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 of all further proceedings in C.C. No. 1270 of 2024, pending before the Hon'ble Principal Judicial First Class Magistrate at Mahabubabad, Mahabubabad District.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri K Venumadhav, Advocate for the Petitioner and Sri. Jithender Rao Veeramalla, Additional Public Prosecutor (TG/AP) on behalf of the Respondent No. 1.

The Court made the following: ORDER

THE HONOURABLE SMT.JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.13569 of 2025

ORDER:

This Criminal Petition is filed by the petitioner-accused seeking to quash the proceedings CC No.1270 of 2024 on the file of the Principal Judicial Magistrate of First Class, Mahabubabad, for the offences under Sections 74, 75, 78 and 79 of BNS.

2. Heard Sri K. Vemumadhav, learned counsel for the petitioner and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor for the respondent No.1-State.

3. Learned counsel for the petitioner has submitted that there is no iota of truth in the allegations leveled against the petitioner herein and that the *de facto* complainant has improvised her version during her statement under Section 161 Cr.P.C., when compared to the allegations in the complaint and the police have shown over enthusiasm in recording the statement of the LW.1 on the same day of registration of the crime. He further submitted that the petitioner never tried to outrage the modesty of the *de facto* complainant and hence, prayed to quash the proceedings against the petitioner herein.

4. Learned Additional Public Prosecutor has submitted that there is no improvement in the statement of LW.1 and the contents of the statement of LW.1 shows that the verbatim is repeated when compared to the complaint. He therefore, prayed to dismiss the petition.

5. Perused the record.

6. The charge sheet and the contents of the complaint point out specific allegations against the petitioner that he tried to outrage the modesty of the *de facto* complainant by calling her into his chamber and by touching her physically in an objectionable manner. The learned counsel for the petitioner contends that there is improvement in the statement of LW.1 when compared to the complaint lodged by her. But, a bare perusal of both the statements reveals no such improvement as contended by the learned counsel for the petitioner. It is further made out from the charge sheet that apart from LW.1 i.e. the *de facto* complainant and her father, there are other witnesses who are the staff of the hospital wherein the offences alleged to have

been committed. The veracity of these witnesses needs to be tested during the course of trial and hence, it is deemed appropriate to dispose of the petition by dispensing with the attendance of the petitioner before the trial court.

7. Accordingly, the Criminal Petition is disposed of dispensing with the attendance of the petitioner before the trial court, provided he is represented by a counsel before the trial court on every date of hearing and shall appear before the trial court as and when his presence is required during the course of trial.

Miscellaneous Petitions, if any pending, shall stand closed.

SD/- K.BHAVANI SWAMY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Judicial First Class Magistrate at Mahabubabad.
2. The Station House Officer, Mahabubabad (T) Police Station, Mahabubabad District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
4. One CC to Sri. K Venumadhav, Advocate [OPUC]
5. Two CD Copies.

PM/PSL

[Signature]

HIGH COURT

DATED:06/11/2025

ORDER

CRLP.No.13569 of 2025



DISPOSING OF THE CRIMINAL PETITION.

8MT
17/11/25