

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

FRIDAY, THE THIRTY FIRST DAY OF OCTOBER  
TWO THOUSAND AND TWENTY FIVE

**PRESENT**

**THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA**

**CRIMINAL PETITION NO: 14115 OF 2025**

**Between:**

1. KothaRajeshwar,, S/o KothaNarasaiah, Aged about 52 years, R/o. H.No.1-116, Aushapur, Ankushapur, K.V. Rangareddy, Ghatkesar, Telangana
2. Kotha bixapathi,, S/o KothaNarsaiah, Aged about 64 years, H.No. 4-18, Aushapur, Ankushapur, K.V. Rangareddy, Ghatkesar, Telangana District
3. Kotha Shobha,, W/o KothaRajeswar, Aged about 46 years, R/o. H.No.1-116, Aushapur, Ankushapur, K.V. Rangareddy, Ghatkesar, Telangana.
4. Kotha Vikram @ Vikas, S/o KothaBikshapathi, Aged about 35 years, R/o. H.No.1-116, Aushapur, Ankushapur, K.V. Rangareddy, Ghatkesar, Telangana.
5. Kotha Shekhar,, S/o Kotha Krishna Murthy, Aged about 57 years, R/o. H.No. 5-36, Aushapur, Opp. Masjid, Ankushapur, K.V. Rangareddy, Telangana District

**...Petitioners/Accused No.2 to A-6**

**AND**

1. The State of Telangana,, through Station House Officer, GhatkesarPolice station, Rachakonda, Rep. by Public Prosecutor, High Court at Telangana

**... Respondent No.1**

2. Amudhala Babitha,, D/o AmudhalaSivaraj, Aged about 25 years, R/o. H.No. 2-13, Aushapur Village, Ghatkesar Mandal, Medchal District.

**...Respondent No.2/De-Facto Complainant**

Petition under Section 528 of B.N.S.S praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, this Hon'ble Court may be pleased to quash the proceedings in PRC No. 09 of 2025, Dt. 16.08.2024 pending before The 1st Addl. Junior Civil Judge-Cum-Vth Addl. Judicial Magistrate of 1st Class against the Petitioners/A-2 to A-6.

**I.A. NO: 1 OF 2025**

Petition under Section 528 of B.N.S.S 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 PRC No. 09 of 2025, Dt. 16.08.2024 pending before The 1st Addl. Junior Civil Judge-Cum-Vth Addl. Judicial Magistrate of 1st Class against the Petitioners/A-2 to A-6 .

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri P NARASIMHULU , Advocate for the Petitioner/accused Nos. 2 to 6 and the Additional Public Prosecutor on behalf of the Respondent No.1.

**The Court made the following: ORDER**

THE HON'BLE SMT.JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.14115 of 2025

ORDER:-

1. This Criminal Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 seeking the Court to quash the proceedings against the petitioners/accused Nos.2 to 6 in PRC.No.09 of 2025, on the file of the learned I Additional Junior Civil Judge –cum- V Additional Judicial Magistrate of First Class, Medchal-Malkajgiri District, registered for the offences punishable under Sections 376(2)(n), 323, 493, 417, 420, 504, 506 and 509 of IPC.

2. Heard Sri P.Narasimhulu, learned counsel for the petitioners/accused Nos.2 to 6 as well as Sri Jitender Rao Veeramalla, the learned Additional Public Prosecutor appearing for the respondent No.1- State.

3. Learned petitioners' counsel submits that the petitioners herein are the family members of accused No.1 and that they are falsely implicated in this case. He further submitted that accused No.1 and the 2<sup>nd</sup> respondent /*de facto* complainant are in consensual relationship since 2020 and on the pretext that accused No.1 refused to marry the *de facto* complainant, the present complaint has been

lodged and that the family members are no way concerned with the alleged relationship and that they never abused or threatened the *de facto* complainant. He further pointed out that there is delay in lodging the complaint as when the alleged relationship existed since 2020, the complaint is lodged in the year 2024. He therefore prayed to quash the proceedings against the petitioners.

4. The learned Additional Public Prosecutor has submitted that the complainant has stated in her complaint and also in the statement recorded under Section 161 Cr.P.C. that there were talks and negotiations till 16.08.2024 after which she lost hope and the present complaint is lodged. Specific allegations are pointed out in the complaint as well as in the statement of LW1. He therefore prayed to dismiss the petition.

5. Perused the record. The contents of the complaint and the statement of LW1 do point out specific allegations against the petitioners herein that they abused the *de facto* complainant and further, they have used language which is objectionable and would cause loss to her reputation. Though it is alleged that it is a consensual relationship and that the petitioners are innocent, the truth or otherwise in the allegations shall fall for consideration during the course of trial before the Trial Court. Hence, it is deemed

/

appropriate to dispose of the Criminal Petition by dispensing with the presence of the petitioners before the learned I Additional Junior Civil Judge –cum- V Additional Judicial Magistrate of First Class, Medchal-Malkajgiri District.

6. Hence, the Criminal Petition is disposed of dispensing with the presence of the petitioners/accused Nos.2 to 6 before the learned I Additional Junior Civil Judge –cum- V Additional Judicial Magistrate of First Class, Medchal-Malkajgiri District, provided that the petitioners are represented through an Advocate on every date of hearing and that they shall be present before the said Court whenever their presence is specifically required.

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

**SD/- S. MALLIKARJUNA RAO**  
**ASSISTANT REGISTRAR**

**//TRUE COPY//**

**SECTION OFFICER**

**To,**

1. THE HONB'LE V ADDITIONAL METROPOLITAN MAGISTRATE  
CUM 1<sup>ST</sup> AJCJ, MALKAJGIRI-MEDCHAL DIST, UPPAL AT L.B  
NAGAR
2. THE SHO, GHATKESAR P.S, RACHAKONDA DIST.
3. One CC to SRI. P NARASIMHULU , Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR , High court for the state of  
Telangana , Advocate [OUT]
5. Two CD Copies

RM/Sa

*Jks*

HIGH COURT

DATED:31/10/2025



ORDER

CRLP.No.14115 of 2025

**DISPOSING OF THE CRIMINAL PETITION**

(8) - JKS  
22/1/26.