IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

MONDAY, THE THIRD DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 14189 OF 2025

Between:

1. Thipparthi Rajinikanth, S/o Hanmandlu, Aged about 41 years, Occ: Private Employee, R/o H.No.7-6-103, Opposite Street of Gram Panchayat, Vemulawada, Rajanna Sircilla District.
2. Thipparthi Bhulaxmi, W/o Hanmandlu, Aged about 67 years, Occ: Housewife, R/o H.No.7-6-103, Opposite Street of Gram Panchayat, Vemulawada, Rajanna Sircilla District.
3. Thipparthi Hanmandlu, S/o Simhadri, Aged about 72 years, Occ: Business, R/o H.No.7-6-103, Opposite Street of Gram Panchayat, Vemulawada, Rajanna Sircilla District.

...PETITIONERS/RESPONDENTS/A-1 TO A-3

AND

1. The State of Telangana, Rep. by Public Prosecutor, High Court for the State of Telangana, Hyderabad

...RESPONDENT/RESPONDENT

2. The Station House Officer, Jagtial Police Station, Jagtial District.

...RESPONDENT/PETITIONER/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 docket order passed in Crl. M.P.No.204 of 2025 in CC No.1149 of 2018 on the file of the I Additional Judicial Magistrate of First Class at Jagtial dt 29/08/2025 by allowing the petition filed u/s 311 of Cr.P.C. for further cross examination of PWs- 1 to 3 in CC No.1149 of 2018

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 CC No.1149 of 2018 pending on the file of the I Additional Judicial Magistrate of First Class at Jagtial dt 29/08/2025 pending disposal of the main Criminal Petition

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri BALA MURALI Y, Advocate for the Petitioners and SRI. JITHENDER RAO VEERAMALLA, Additional Public Prosecutor on behalf of the Respondent No.1 & 2

The Court made the following: ORDER

THE HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.14189 of 2025

ORDER:

This Criminal Petition is filed under Section 528 Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioners/accused Nos.1 to 3 seeking to quash the order dated 29.08.2025 passed in Crl.M.P.No.204 of 2025 in C.C.No.1149 of 2018 on the file of I Additional Judicial Magistrate of First Class at Jagtial.

2. Heard Mr.Y.Bala Murali, learned counsel for petitioners and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for the respondent No.1-State.

3. Learned counsel for the petitioners submits that the petition was dismissed due to non-representation on the stipulated date, and that it was not heard on merits.

4. Learned Additional Public Prosecutor has submitted to pass appropriate orders.

5. Perused the record.

6. The impugned docket order dated 29.08.2025, which reads as under:

> *"A1 to A3 absent, no representation. Cr.M.P.No.204/2025 is dismissed"*

7. The learned Magistrate has not heard both parties, and the petition was dismissed due to non-representation on behalf of accused Nos.1 to 3. The petition was filed under Section 311 of Cr.P.C., seeking recall of PWs.1 to 3. This Court is not inclined to go into the merits of the recall petition at this stage. However, the petition must be given a logical conclusion after affording an opportunity of hearing to both parties. Therefore, the learned I Additional Judicial Magistrate of First Class, Jagtial, is directed to dispose of Crl.M.P.No.204 of 2025 in C.C.No.1149 of 2018 after hearing both parties on its own merits, without being influenced by any of the observations made by this Court.

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

Pending miscellaneous applications, if any, shall stand closed.

SD/- T.SRINIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

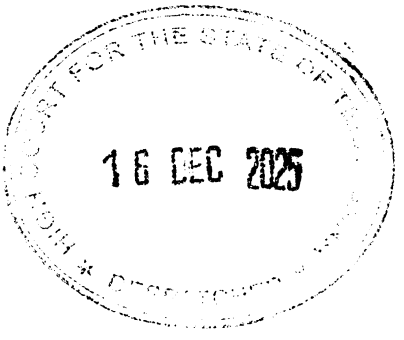
1. The I Additional Judicial Magistrate of First Class at Jagtial, Jagtial District
2. The Station House Officer, Jagtial Town Police Station, Jagtial, Jagtial District
3. One CC to SRI BALA MURALI Y Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
5. Two CD Copies

VM/PSL

HIGH COURT

DATED: 03/11/2025

ORDER
CRLP.No.14189 of 2025



DISPOSING THE CRIMINAL PETITION

ASV
2/12/25