IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE TWENTIETH DAY OF JANUARY TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

IA No. 1 OF 2024
IN
CRLP NO: 16434 OF 2024

Between:

1. Koya Ramakrishna Rao, S/o late Brahmananda Rao, Occ. Business, R/o Flat No. 103, Pruthvi Vasanth Residency, Mubaraknagar, Nizamabad
2. Tondapi Rama Rao, S/o late Narsimha Rao, Occ. Agriculture, R/o H.No. 2-24, Dharmaram-B village, Dichpally Mandal, Nizamabad District.
3. Veeramachineni Pramod Kumar, S/o Sathyanarayana, Occ. Corporator, R/o Madhavnagar, Nizamabad, Nizamabad District
4. Nimmagadda Tharun, S/o Shanker, Occ. Business, R/o Madhavnagar, Nizamabad
5. Chinthapalli Radha Krishna, S/o Anjaneyulu, Occupation. Agriculture, R/o Dharmaram village, Dichpally Mandal, Nizamabad District.
6. Beemaneni Koteshwar Rao, S/o Krishna Murthy, Occupation. Agriculture, R/o Dharmaram village, Dichpally Mandal, Nizamabad District.
7. Challa Srinivas @ Chalasani Srinivas, S/o Punnaiah, Occ. Agriculture, R/o Madhavnagar, Nizamabad.

...Petitioners/Accused Nos.1 to 6
(Petitioner in CRLP 16434 OF 2024
on the file of High Court)

AND

1. State of Telangana, through Station House of Officer, Police Station, Nizamabad (Rural), Nizamabad, Rep. by the Public Prosecutor, High Court for the State of Telangana, Hyderabad.
2. Sri Kalagara Venkateshwar Rao, S/o Basvaiah, Occ. Private Job, Native of Nizampet, Hyderabad R/o Dharmaram village, Dichpally Mandal, Nizamabad District.

...Respondents
(Respondents in-do-)

Counsel for the Petitioners : Sri V. Ravi Kiran Rao, Senior Counsel representing Sri V. Rohit

Counsel for the Respondent No.1 : Addl. PUBLIC PROSECUTOR

Petition under Section 528 of BNSS praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to grant Stay of all further Proceedings in C.C. No. 902 of 2023 on the file of II Additional Judicial Magistrate of First Class, Nizamabad including appearance of the Petitioners pending disposal of CRLP No. 16434 of 2024, on the file of the High Court.

The Court made the following

ORDER:

This application is filed seeking to stay all further proceedings including appearance of the petitioners/accused Nos.1 to 6 in C.C.No.902 of 2023 on the file of II Additional Judicial Magistrate of First Class, Nizamabad.

Heard Sri V.Ravi Kiran Rao, learned Senior counsel representing Sri V.Rohith, learned Senior Counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent-State.

Learned Senior counsel for the petitioners submitted that the allegations do not disclose the offences of wrongful restraint, mischief and intentional insult and criminal intimidation on the part of the petitioners. The averments of the charge sheet also does not disclose any ingredients of the alleged offences, except bald allegation that the accused abused the complainant in filthy language and also threatened to kill. Hence, he prayed to grant stay of all further proceedings.

On the other hand, learned Additional Public Prosecutor for the State submitted that there are specific allegations against the petitioners and prayed this Court to dismiss this petition.

Heard both sides and on a perusal of the material placed on record, it is apparent that the dispute between the parties is with regard to committee of Kamma Sangam and Prima facie, general and bald allegations are levelled against the petitioners.

In the said circumstances, this Court is inclined to stay all further proceedings in C.C.No.902 of 2023 on the file of II Additional Judicial Magistrate of First Class, Nizamabad against petitioners/accused Nos.1 to 6, pending disposal of the criminal petition.

SD/-L.LAKSHMI BABU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The II Additional Judicial Magistrate of First Class, Nizamabad.
2. The Station House Officer, P.S. Nizamabad Rural, Nizamabad District
3. Sri Kalagara Venkateshwar Rao, S/o Basvaiah, Occ. Private Job, Native of Nizampet, Hyderabad R/o Dharmaram village, Dichpally Mandal, Nizamabad District. (by RPAD)
4. One CC to SRI V. Rohit, Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. (OUT)
6. One spare copy

HIGH COURT

JS,J

DATED:20/01/2025



ORDER

I.A.NO.1 OF 2024
IN
CRLP.No. 16434 of 2024

STAY