IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY,THE FIFTEENTH DAY OF DECEMBER TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 16723 OF 2025

Between:

1. Vittam Praveen Kumar, S/o Vittam Nadipi Siddi Ramulu, aged about 43 years, Occ. Medical Officer, Community Health Centre, Gandhari and practicing at Samanvitha Hospital, Kamareddy, R/o H.No.5-7-270, Sriramnagar Colony. Kamareddy

...PETITIONER/ACCUSED(S)

AND

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

...RESPONDENT No.1

2. Dr. P.Chandra Shekar, S/o. Late P. Janardhan, Aged about 58 years, Occ. I/c. District, Medical and Health Officer and Member Secretary, Convener, District Level Multi Member Appropriate Authority, PCand PNDT Act, Kamareddy O/o. DMand HO at Kamareddy

...DEFACTO COMPLAINANT/RESPONDENT No.2

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 Proceedings in Proceedings in CC.No.44 of 2025 on the file of the Judicial Magistrate of First Class at Kamareddy and to grant such other relief or reliefs as this Hon'ble Court may deem fit and proper in the circumstances of the case.

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 CC.No.44 of 2025 on the file of the Judicial Magistrate of First Class at Kamareddy, pending disposal of the Criminal Petition.

This Petition coming on for hearing, upon perusing he Memorandum of Grounds of Criminal Petition and upon hearing the argum nts of Sri RAPOLU BHASKAR ,Advocate for the Petitioner and the SR JITHENDER RAO VEERAMALLA, Additional Public Prosecutor on behalf of :l e Respondent No.1 and None Appeared for the Respondent No.2.

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 16723 of 2025

DATE: 15.12.2025

Between :

Vittam Praveen Kumar

....Petitioner

AND

The State of Telangana,
Rep. by its Public Prosecutor,
High Court of Telangana,
Hyderabad and another

....Respondents

: O R D E R :

This criminal petition has been filed by the petitioner/accused No.2 seeking to quash the proceedings in C.C.No.44 of 2025 on the file of the Judicial Magistrate of First Class, Kamareddy, for the offences under Sections 3(3), 3A, 6(b)(c) and 23(1)(2) of the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 (for short, 'the PCPNDT Act') and Rules 6(6) and 8 of the Pre Natal Diagnostic Techniques (Prohibition and Sex Selection) Rules, 1996 (for short, 'the PCPNDT Rules').

2. Heard Mr.Rapolu Bhaskar, learned counsel for the petitioner, and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for the respondent No.1.

3. Learned counsel for the petitioner submitted that the petitioner has not committed the offences and he was falsely implicated in the present crime based upon the confessional statement given by the other accused. There are no allegations, much less specific allegations, levelled against the petitioner to attract the ingredients for the offences under Sections 3(3), 3A, 6(b)(c) and 23(1)(2) of the PCPNDT Act and Rules 6(6) and 8 of the PCPNDT of the Rules. Hence, the continuation of the proceedings against the petitioner amounts to a clear abuse of the process of law.

4. *Per contra*, learned Additional Public Prosecutor submitted that there are specific allegations levelled against the petitioner. He further submitted that the ingredients for the offences under Sections 3(3), 3A, 6(b)(c) and 23(1)(s) of the PCPNDT Act and Rules 6(6) and 8 of the PCPNDT Rules are attracted to the petitioner. The grounds, which are raised by the petitioner, have to be adjudicated by the trial Court

the PCPNDT Rules are attracted to the petitioner. The grounds, which are raised by the petitioner, have to be adjudicated by the trial Court after full-fledged trial. Hence, the petitioner is not entitled to seek quashing of the proceedings in C.C.No.44 of 2025.

5. Having considered the rival submissions made by the respective parties and upon perusal of the complaint, and final report, it clearly reveals that there are specific allegations against the petitioner to attract the ingredients for the offences under Sections 3(3), 3A, 6(b)(c) and 23(1)(s) of the PCPNDT Act and Rules 6(6) and 8 of the PCPNDT Rules. The contentions and grounds raised by the learned counsel for the petitioner are disputed facts and the same have to be adjudicated and decided by the trial Court after full-fledged trial and the same cannot be adjudicated in the present criminal petition. Hence, there are no grounds to quash the proceedings against the petitioner.

6. Accordingly, the criminal petition is dismissed. However, taking into consideration the peculiar facts and circumstances of the case, the presence of the petitioner/accused No.2 in C.C.No.44 of 2025 is dispensed with, subject to the condition that he shall be

represented through his counsel on each and every date of hearing. If the presence of the petitioner is required, he shall appear before the trial Court. In case of his non-appearance on the specific date fixed by the trial Court for his appearance, the trial Court is entitled to proceed with the matter, in accordance with law.

Miscellaneous applications, pending if any, shall stand closed.

Sd/- M. NAGAMANI
ASSISTANT REGISTRAR

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SECTION OFFICER

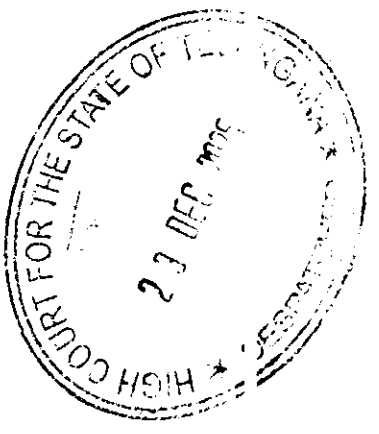
To,

1. The Judicial Magistrate of First Class at Kamareddy.
2. Two CCs to the PUBLIC PROSECUTOR, High Court for the State of Telangana [OUT]
3. One CC to SRI. RAPOLU BHASKAR Advocate [OPUC]
4. Two CD Copies

DDN/kam

HIGH COURT

DATED:15/12/2025



ORDER

CRLP.No.16723 of 2025

CRIMINAL PETITIOIN IS DISMISSED

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23/12/25