IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE TWENTIETH DAY OF APRIL TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 1263 OF 2026

Between:

MOHAMMED ZAMIRUDDIN MADANI, S/o Mohammed Ameeruddin, Aged about 39 years, Occupation Service abroad, H.No. 17-3A-210, S.R.T Colony, Yakutpura. Charminar, Hyderabad, Telangana Presently residing at Muhammed bin Muslimah Al Ansari, Al Malaz. Riyadh, K.S.A Rep. by his G.P.A Holder Niyaz Mohammed Khan Durrani S/o Late Iqbal Mohd. Khan Durrani, Aged about 40 years, Occupation Pvt. Service, H.No. 18-12-419/C/1263, C-Block, Hafiz Baba Nagar, Bandlaguda, Kanchan Bagh, Hyderabad 500058, Telangana.
Represented by his GPA Holders Niyaz Mohammed Durrani as per Court Order dated 18-02-2026 Vide IA No. 2/2026 in Crlp1263/2020.

...PETITIONER/ACCUSED NO.1

AND

1. The State of Telangana,, Represented by Public Prosecutor, High Court for the State of Telangana at Hyderabad, Hyderabad, Telangana
2. Afshan Nazneen Farha, W/o Mohammed Imran Khan, Aged about 36 years, Occupation Housewife, H.No. 9-3-58/B/32 and 33/2 (Ground Floor). Afsar Khan Colony, Langer House, Hyderabad 500008, Telangana

...RESPONDENTS

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 tot call for the records relating to and in connection with and quash set aside the order dated 19/09/2025 passed in Crl. M.P No. 3815 of 2025 in C.C. No. 12214 of 2019 on the file of the XV Additional Chief Judicial Magistrate, Hyderabad at Nampally, and permit the petitioner to record the statement u/sec 313 Cr.P.C through video conferencing

I.A. NO: 1 OF 2026

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 of C.C. No. 12214 of 2019 on the file of the XV Additional Chief Judicial Magistrate. Hyderabad at Nampally. pending disposal of the Criminal petition

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri MOHD ASHFAQ , Advocate for the Petitioner and the Mr V.Jithender Rao Addl Public Prosecutor on behalf of the Respondent No1. and none appear for the Respondent No2.

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.1263 of 2026

Date: 20.04.2026

Between:
Mohammed Zamiruddin Madani

...Petitioner/Accused No.1

AND

The State of Telangana and another

...respondents

ORDER

This Criminal Petition has been filed aggrieved by the order dated 19.09.2025 passed by the XV Additional Chief Judicial Magistrate, Hyderabad at Nampally, in Crl.M.P. No.3815 of 2025 in C.C. No.12214 of 2019, where under the application filed by the petitioner along with other accused seeking permission to appear through video conference was dismissed.

2. Heard Mr. Mohd. Ashfaq, learned counsel for the petitioner, and Mr. Jithendar Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1.

3. When this matter was taken up for consideration on 18.02.2026, this Court, while ordering notice before admission permitted the learned counsel for the petitioner to take out

personal notice to respondent No.2 through speed post with acknowledgment due and file proof of service. Pursuant to the said order, learned counsel for the petitioner filed proof of service stating that though he sent personal notice to the correct address of respondent No.2 and it was returned with a postal endorsement as 'no such person in the said address'.

4. In view of the above said submission, this Court has directed the learned Additional Public Prosecutor to inform the concerned Station House Officer (S.H.O.) to serve notice to respondent No.2 and file proof of service. The matter underwent another two adjournments i.e. 23.03.2026 and 06.04.2026 at the instance of the learned Additional Public Prosecutor. Today, the learned Additional Public Prosecutor filed Memo *vide* USR No.37622 of 2026 along with written instructions furnished by the S.H.O., W.P.S., South Charminar, Hyderabad, wherein it is stated that the S.H.O., W.P.S., South Charminar, Hyderabad, deputed a Police Constable to serve the notice to the complainant and on enquiry, he came to know that respondent No.2 has vacated the said house in the year 2019. Taking into consideration the above said submissions, especially the petitioner is only seeking permission to appear through video conference, this Court is proceeding with the matter on merits.

5. Learned counsel for the petitioner submitted that the petitioner was arrayed as accused No.1 in C.C.No.12214 of 2019, for the offences under Sections 498-A, 406 and 506 of IPC and Sections 4 and 6 of the Dowry Prohibition Act, 1961 and he is temporarily residing at Soudi Arabia due to his employment and the matter before the trial Court is coming up for examination of the accused. The petitioner filed an application *vide* Crl.M.P.No.3815 of 2025 invoking the provisions of Rule 6 of Rules for Video Conferencing for Courts in the State of Telangana *vide* Notification No.14/SO/2020 seeking permission to appear through video conference. The trial Court, without properly considering the averments made in the application, erroneously dismissed the same. Unless this Court permits the petitioner to appear through video conference, he will be put to great hardship.

6. He further submitted that the matter before the trial Court is coming up for framing of charges and the physical presence of the petitioner may be dispensed and the petitioner will appear through video conference.

7. The learned Additional Public Prosecutor has not opposed the same.

8. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the petitioner filed Crl.M.P.No.3815 of 2025 invoking the provisions of Rule 6 of Rules for Video Conferencing for Courts in the State of Telangana seeking permission to appear through video conference at the time of framing of charges. The trial Court dismissed the same only on the ground that the matter before the trial Court is coming up for examination of the accused under Section 239 of Cr.P.C. and the Rules framed by the High Court does not expressively state about the proceedings through video conference facility at the time of examination of the accused under Section 239 of Cr.P.C., however, the same is available at the stage of examination of the accused under Section 313 of Cr.P.C. and for recording the evidence of witness.

9. On perusal of the Rules framed for Video Conferencing for Courts in the State of Telangana, under Memo.No.8694/Courts.A2/2020 (Home (Courts.A), 28th October, 2020, it reveals that Rule No.3 of General Principles Governing Video Conferencing envisages that video conference should be used at all stages of judicial proceedings including the proceedings conducted by the trial Court. The record

discloses that the petitioner is residing at Soudi Arabia due to his employment.

10. Taking into consideration the peculiar facts and circumstances, the trial Court is directed to permit the petitioner to appear through video conference at the stage of framing of charges.

11. Accordingly, the criminal petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

SD/- A.SREENIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XV Additional Chief Judicial Magistrate, Hyderabad at Nampally
2. One CC to SRI. MOHD ASHFAQ Advocate [OPUC]
3. Two CCs to PUBLIC PROSECUTOR High Court for the State of Telangana, at Hyderabad [OUT]
4. Two CD Copies

AG/KA

HIGH COURT

DATED: 20/04/2026



ORDER

CRLP.No.1263 of 2026

DISPOSING THE CRLP

7 MT
27/4/26