

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 3877 OF 2019

Between:

Jameeruddin (wrongly shown as Ameeruddin MD in FIR) S/o. Gousuddin,
Muslim, Aged about 46 years R/o. Aloor Village, Chevella Mandal, Cyberabad
District.

...Petitioner/Accused

AND

1. The State of Telangana, rep. through PS, Chevella rep. by its Public Prosecutor
High Court, Hyderabad.

...Respondent/Respondent

2. Jayagalla Narsimulu S/o. Chennaiah, Indian, Aged about 38 years Occ:
Agriculture, R/o. Mirzaguda, Chevella Mandal, Cyberabad District.

...Respondent/Complainant

Petition under Section 482 of Cr.P.C. praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash S.C.No.236/2017 on the file of the Court of the Special Judge for SC / STs (POA) Act / Addl. Sessions Judge, L.B. Nagar, Ranga Reddy District.

I.A. No. 1 OF 2019

Petition under Section 482 of Cr.P.C. 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 S.C.No.236/2017 on the file of the Court of the Special Judge for SC / STs (POA) Act / Addl. Sessions Judge, L.B. Nagar, Ranga Reddy District.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri K Durga Prasad, Advocate for the Petitioner and Sri M Vivekananda Reddy, learned Assistant Public Prosecutor on behalf of the Respondent No.1-State and of Ms. Mrunal Joshi, Advocate for the Respondent No.2.

The Court made the following: ORDER

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

THE HON'BLE SRI JUSTICE J.SREENIVASRAO

CRIMINAL PETITION No.3877 of 2019

Date 20.01.2026

Between:

Jameeruddin (wrongly shown as Ameeruddin MD in FIR)

...Petitioner/accused

AND

State of Telangana and another.

...Respondents

ORDER:

This Criminal Petition has been filed seeking to quash the proceedings in SC.No.236 of 2017, on the file of learned Special Judge for SC/ST's POA Act and Additional Sessions Judge Court at L.B Nagar, Ranga Reddy District, wherein the petitioner was arrayed as accused for the offences punishable under Sections 324, 326, 506 of the Indian Penal Code, 1860 and Sections 3(1), (r), (s) of Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, as amended by Act 1 of 2016 (hereinafter referred to as "the Act").

2. Heard Mr.K.Durgam Prasad, learned counsel for the petitioner and Ms.Mrunal Joshi, learned counsel for respondent No.2 and Mr.M.Vivekananda Reddy, learned Assistant Public Prosecutor, appearing for respondent No.1-State.

3. Learned counsel for the petitioner vehemently contended that the petitioner has not committed any offence, and he has been falsely implicated in the present case. He further submitted that the petitioner never abused respondent No.2 in the name of his caste and made false and frivolous allegations by implicating him for the offence under Section 324 of the Indian Penal Code and Section 3(1) (r) (s) of SC, ST POA Act, 2015, to settle the civil disputes, which are pending between the family of the petitioner and the family members of respondent No.2 in OS.No.4 of 2017 pending on the file of the learned Junior Civil Judge, Ranga Reddy at Chevella. He also submitted that the petitioner and his family members are the absolute owners to an extent of Ac.17.24 guntas in Sy.Nos.268 to 271. When the family members of respondent No.2 are trying to interfere with the above said property, the mother of the petitioner filed a suit *vide* OS.No.4 of 2017 on the

file of the learned Junior Civil Judge, Chevella for grant of perpetual injunction, restraining the defendants therein from interfering with the suit schedule property, wherein the said Court granted *status-quo* order and the said order is still existing. When the respondent No.2 is trying to interfere with the said property, the petitioner obstructed. However, respondent No.2 to settle the civil disputes, which are pending before the Junior Civil Judge, Chevella, at the instance of the defendants therein, implicated the petitioner for the offences under Sections 324, 326 and 506 of IPC and Sections 3(1)(r) and (s) of the SCs and STs (POA) Act 1989 as amended in 2015. At the time of the alleged incident, no eye witnesses were present. However, the prosecution relied upon the statements of LWs 6 to 11 who are cited as eye witnesses, filed the final report and they are the close relatives and friends of LWs 1 to 5. Hence, evidence of LWs 6 to 11 cannot be taken into consideration. LWs 1 to 5 sustained only simple injuries and the ingredients for the offence under Section 326 of IPC are not attracted and also the offences under Sections 324 and 506 of IPC are not attracted. The nature of the allegations levelled in the complaint is

purely civil in nature especially as the Civil Suit OS.No.4 of 2017 is pending before the competent Civil Court. Hence the continuation of proceedings against the petitioner is a clear abuse of process of law.

4. *Per contra*, the learned counsel appearing on behalf of respondent No.2 vehemently contended that LWs 1 to 5 sustained grievous injuries at the hands of the petitioner. At the time of the alleged incident, LWs 6 to 11, who were eyewitnesses, were present and their statements were recorded under Section 161 of the Code of Criminal Procedure, wherein they have stated that the petitioner abused respondent No. 2 in the name of his caste. Hence the ingredients of the alleged offences are attracted against the petitioner. He further submitted that the contention raised by the learned counsel for the petitioner is that LWs 6 to 11 were close relatives and friends and they were not present at the scene of offence is not a fact. Basing on the same the petitioner is not entitled to seek quashing of the proceedings. He further submitted that the matter before the learned trial Court is coming up for trial. Whether the petitioner has committed the offence or not has to be adjudicated and decided by the trial Court after a full-

fledged trial. Especially, the matter before the trial Court is ripe for trial.

5. The learned Assistant Public Prosecutor also reiterated the submissions made by the learned counsel for the respondent No.2.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the petitioner and his family members are claiming rights over the property to an extent of Ac.17.24 gts. It is not in dispute that a family member of the petitioner filed a suit *vide* OS.No.4 of 2017 on the file of the learned Junior Civil Judge Chevella for grant of perpetual injunction restraining the defendants therein from interfering with the suit schedule property. Even according to the parties, it is not in dispute that the father of respondent No.2 was arrayed as defendant along with others.

7. The specific case of the petitioner is that respondent No.2 is not having any semblance of right in respect of the property covered in OS.No.4 of 2017. At the instance of the defendants therein the present

complaint was filed to settle the civil disputes which are pending before the competent Civil Court and the contention that LWs 6 to 11 are interested witnesses of the respondent No.2 complainant and whether LWs 6 to 11 were present at the scene of offence at the time of the alleged incident or not is disputed question of fact and the same has to be adjudicated and decided by the trial court after a full-fledged trial.

8. For the foregoing reason, this Court is of the considered view that the contentions raised by the petitioner were disputed and the same cannot be adjudicated at this stage. Hence, this Court is not inclined to quash the proceedings against the petitioner. However taking into consideration the facts and circumstances of the case, the presence of the petitioner/accused in SC.No.236 of 2017, on the file of learned Special Judge for SC/ST's POA Act and Additional Sessions Judge Court at L.B Nagar, Ranga Reddy District,, 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.

9. Accordingly the Criminal Petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

SD/- A.H.S.GOWRI SHANKAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Special Judge for SC/STs (POA) Act/Additional Sessions Judge Court at L.B.Nagar, Ranga Reddy District.
2. The Station House Officer, Chevella Police Station, Cyberabad District.
3. Two CCs to the Public Prosecutor, High Court of Telangana at Hyderabad [OUT]
4. One CC to Sri. K Durga Prasad, Advocate [OPUC]
5. One CC to Ms. Mrunal Joshi, Advocate [OPUC]
6. Two CD Copies

ABK/PSL

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HIGH COURT

DATED: 20/01/2026

ORDER

CRLP.No.3877 of 2019



DISPOSING OF THE CRIMINAL PETITION

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