

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE TWENTY EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE
PRESENT

THE HONOURABLE SRI JUSTICE K. SURENDER
CRIMINAL PETITION NO: 503 OF 2022

Between:

1. Avula Nagendra Babu, S/o. Venkataiah, Aged about 29 years, Occ. Private Employee, R/o. H.No. 5-47, Machavaram Village, Bhoorgadda Post, Huzumagar Mandal, Suryapet District, TS (A1).
2. Avula Venkataiah @ Avula Pedda Venkataiah, S/o. Late Narayana, Aged about 63 years, Occ. Agriculture, R/o. H.No. 5-47, Machavaram Village, Bhoorgadda Post, Huzumagar Mandal, Suryapet District, TS (A2).
3. Seelam Saidulu, S/o. Biksham, Aged about 42 years, Occ. Agriculture, R/o. H.No. 5-63, Machavaram Village, Bhoorgadda Post, Huzumagar Mandal, Suryapet District, TS (A3).

...PETITIONERS/ACCUSED No. 1 to 3

AND

1. The State of Telangana, through Huzurnagar, Police Station, Huzumagar Town, Suryapet District, Rep. by its Public Prosecutor, High Court of Telangana, at Hyderabad.
2. Nandigama Ashok, S/o. Chinna Ramulu, Aged about 28 years, Occ. Vagabond and Blackmailer, Caste. SC (Madiga) R/o. Bhoorgadda Village, Huzurnagar Mandal, Suryapet District, TS.

...RESPONDENTS/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 call for the records relating to Crime No. 308/2021, dated. 22.12.2021, and same was registered U/Sec. 447, 427, 504, 506 r/w 34 of IPC and 3(1)(f), 3(1)(r)(s) of SC/ST (POA) Act, 2015, and said false crime was registered by the SHO, Huzumagar, Police Station, Huzurnagar Town, Suryapet District, TS, against the Petitioners/Accused A1 to A3 herein, pursuant to the false and frivolous complaint of the 2nd respondent herein, and to quash proceedings thereon, and to grant.

I.A. NO: 2 OF 2022

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

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pleased to permit the petitioner accused to file present IA and seeking to amendment of cause Title in respect of 2nd respondent/complainant Cause Title particularly 2nd respondent occupation wrongly & inadvertently mentioned as Un-Employee ,its neither intention nor wanton, and Amend the Cause Title in the Criminal Petition No0503/2022 in respect 2nd respondent occupation, "as Un-Employee "

I.A. NO: 1 OF 2022

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 grant stay of all further proceedings including the arrest of the Petitioners/Accused A1 to A3, in Crime No. 308/2021, dated. 22.12.2021, and same was registered U/Sec. 447, 427, 504, 506 r/w 34 of IPC and 3(1)(f), 3(1)(r)(s) of SC/ST (POA) Act, 2015, and said false crime was registered by the SHO, Huzumagar, Police Station, Huzumagar Town, Suryapet District, TS, against the Petitioners/Accused A1 to A3 herein, pursuant to the false and frivolous compliant of the 2nd respondent herein, pending disposal of the above Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri PALLE NAGESWAR RAO, Advocate for the Petitioners and the Additional Public Prosecutor on behalf of the Respondent No.1 and of Sri P.Krishna Mohan, Advocate for the Respondent No.2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.503 OF 2022

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioners-accused Nos.1 to 3 seeking to quash the proceedings against them in FIR No.308 of 2021, dated 22.12.2021 on the file of Station House Officer, Huzurnagar Police Station, Suryapet District for the offences under sections 447, 427, 504, 506 r/w 34 of IPC, 3(1)(f) and 3(1)(r)(s) of SC/ST (POA) Act, 2015.

2. On written instructions and as per the e-court case status proceedings learned Additional Public Prosecutor would submit that the charge sheet was filed on completion of investigation and the case was numbered as S.C.No.71 of 2022, hence, the Criminal Petition has become infructuous.

3. Accordingly, this Criminal Petition is dismissed as infructuous. However, the petitioner is at liberty to move a fresh application, in case the cause survives.

Miscellaneous Petitions, pending if any, shall stand closed.

Sd/- N CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR
//TRUE COPY//

To,

SECTION OFFICER

1. The Judicial First Class Magistrate at Huzurnagar.

*Contd...
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2. The Station House Officer, Huzurnagar Police Station, Suryapet.
3. Two CC to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to Sri Palle Nageswara Rao, Advocate [OPUC]
5. Two CD Copies

BJLB

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HIGH COURT

DATED:28/02/2023

ORDER

CRLP.No.503 of 2022



CRIMINAL PETITION IS DISMISSED
AS INFRACTUOUS

6/21/03
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