

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

FRIDAY, THE TWENTY NINTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 9531 OF 2023

Between:

1. Vanam Bhagyamma, W/o. Late Vanam Chandramouli, R/o H.No.11-168/1, Ganesh Nagar, Devarkonda, Nalgonda District.
2. Vanam Vinod Kumar, W/o. Late Vanam Chandramouli, Occ. Advocate, R/o H.No. 22-651, Road No.3, Vinayaka Hills, Almasguda, RangaReddy District.
3. Vanam Vanitha, W/o. Vanam Vinodkumar, R/o H.No. 22-651, Road No.3, VinayakaHills, Almasguda, Ranga Reddy District.

...Petitioner/Respondent Nos.2 to 4

AND

1. Vanam Sandhya W/o Vanam Kranthi Kumar, R/o H.No.9-150, Seetharampuram (V), Miryalaguda (M), Nalgonda (D).

...Respondent/Aggrieved Person

2. The State of Telangana, rep. by Public Prosecutor, High Court, Hyderabad.

...Respondent/Respondent

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 the proceedings in DVC No.14 of 2023 on the file of Principal Junior Civil Judge Cum Judicial First-Class Magistrate at Miryalaguda, Nalgonda District.

I.A. NO: 2 OF 2023

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 including appearance of the petitioners in DVC No.14 of 2023 on the file of Principal Junior Civil Judge Cum Judicial First Class Magistrate at Miryalaguda, Nalgonda District, pending quash petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri GAJANAND CHAKRAVARTHI, Advocate for the Petitioner, Public Prosecutor, on behalf of the Respondent No.2 and None appeared for the Respondent No.1

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.9531 OF 2023

O R D E R:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioners-respondents Nos.2 to 4 to quash the proceedings against them in DVC.No.14 of 2023 pending on the file of Principal Junior Civil Judge-Cum-Judicial First Class Magistrate at Miryalaguda.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent - State. Perused the record.

3. As per the contents of the charge sheet, the marriage of the 1st respondent with the *de facto* complainant was performed on 23.11.2017. Thereafter, matrimonial disputes arose between them. The 1st petitioner is the mother, 2nd and 3rd petitioners are brother and sister-in-law of 1st respondent. In the charge sheet, *prima facie*, there are certain allegations leveled against the petitioners. They are triable issues. The petitioners have to face trial and prove their innocence.

Therefore, this Court is not inclined to quash the proceedings in DVC.No.14 of 2023 pending on the file of Principal Junior Civil Judge-Cum-Judicial First Class Magistrate at Miryalaguda. In matrimonial disputes, identification of parties is not in dispute.

4. Having regard to the facts and circumstances of the case, this Criminal Petition is disposed off with the following directions:

- i) The attendance of the petitioners herein is dispensed with in DVC.No.14 of 2023 pending on the file of Principal Junior Civil Judge-Cum-Judicial First Class Magistrate at Miryalaguda, when represented by their counsel on record.
- ii) The attendance of the petitioners is dispensed subject to filing an affidavit by the petitioners stating that in their absence, the proceedings conducted by their counsel will not be disputed by them in any manner and shall not dispute their identity also.
- iii) However, the petitioners shall appear before the learned Magistrate as and when their presence is required. In the

event of the petitioners' failure to appear when the Court directs, this order dispensing their attendance shall stand cancelled.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- K. AMMAJI /
ASSISTANT REGISTRAR

//TRUE COPY//



SECTION OFFICER

To,

1. The Principal Junior Civil Judge Cum Judicial First-Class Magistrate at Miryalaguda, Nalgonda District.
2. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
3. One CC to SRI. GAJANAND CHAKRAVARTHI Advocate [OPUC]
4. Two CD Copies
SP



HIGH COURT

KSJ

DATED:29/09/2023

ORDER

CRLP.No.9531 of 2023



DISPOSING THE CRIMINAL PETITION

⑦ Kp¹⁰

Sm
8/11/23