

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
 WEDNESDAY, THE TWENTY THIRD DAY OF MARCH
 TWO THOUSAND AND TWENTY TWO

:PRESENT:
THE HONOURABLE SRI JUSTICE K.LAKSHMAN
CRIMINAL PETITION NO: 2659 OF 2022

Between:

1. Ragi Veda Prakash S/o. Late R.J. Chary
2. K. Pradeep Kumar Reddy@ Pradeep, S/o. Late Ranga Reddy
3. Orsu Swamy, S/o Yadagiri
4. Manchukonda Raghu, S/o. Muthaiah
5. Tandepallym Venkatesham, S/o. Late Jogaiah
6. Kathal Rajesh, S/o. Ramulu
7. Bokka Ramreddy, S/o. Malla Reddy
8. Bandari Ramesh, S/o. Bandari Ramulu
9. Vangeti Raji Reddy, S/o. Laxma Reddy.
10. Bheemaiah, S/o. Kumariah.
11. Kunchapur Venkatesh, S/o. Rajaiah
12. Nethagani Sudhakar, S/o. Ramulu
13. Gudusela Ramulu, S/o. Somaiah
14. Kondeti Yella Reddy, S/o. Late Lachhi Reddy

Petitioners/Accused No.1 to 14

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court for the State of Telangana through SHO PS. Keesara, Rachakonda Commissionerate Having office at Vayupuri, Neredmet. Medchal Malkajgiri District.
2. Panjala Jaihind Goud, S/o. Poshetty, Occ Business, R/ o. H. No. 2-1-79 / 8/ 1, Raghavendra Colony, Uppal, Medchal Malkajgiri District.

Respondent/Complainant

WHEREAS the Petitioners above named through their Advocate Sri Police Venkat Reddy presented this Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the grounds filed in the CrI.P., the High Court may be pleased to call for the records pertaining to the C.C.No. 2192 of 2018 on the file of the XXXIII Additional Metropolitan Magistrate, Cyberabad at Malkajgiri, Ranga Reddy District;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri Police Venkat Reddy Advocate for the Petitioner, Public Prosecutor for Respondent No.1 directed issue of notice to the Respondent No.2 herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz;

Panjala Jaihind Goud, S/o. Poshetty, Occ Business, R/ o. H. No. 2-1-79 / 8/
1, Raghavendra Colony, Uppal, Medchal Malkajgiri District.

are directed to show cause on or before 22.04.2022 to which date the case stands posted as to why in the circumstances set out in the petition and the memorandum of grounds filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted.

IA NO: 1 OF 2022

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the petition, the High Court may be pleased to Stay all Further Proceedings including the appearance of Petitioner in C.C.No. 2192 of 2018 on the file of the XXXIII Additional Metropolitan Magistrate, Cyberabad at Malkajgiri, Ranga Reddy District pending disposal of CRLP No. 2659 of 2022, on the file of the High Court.

The Court made the following:

ORDER

Notice to 2nd respondent.

Personal notice is permitted.

List on 22-04-2022.

Perusal of the record would reveal that there are disputes between the petitioners and 2nd respondent with regard to land admeasuring Ac.10-08 gts., in Sy.No.268 situated at Rampally village, Keesara Mandal, Medchal Malkajgiri District. A suit vide O.S.No.874 of 2017 filed by the 2nd respondent and his wife against the 1st petitioner and another for declaration and perpetual injunction is pending.

The 2nd respondent had also filed two interlocutory applications vide I.A.Nos.638 and 639 of 2017 in the said suit seeking interim injunction and also a direction to the defendants in the said suit not to alienate the subject property. The said I.As. were dismissed by the trial Court vide order dated 07-09-2017. It is a contest order and there is clear finding in the said order that the 2nd respondent is not in possession of the said property.

Perusal of the record would reveal that on the complaint lodged by 1st petitioner, Police have registered a case against the 2nd respondent and others for the offences under Sections 447 and 506 r/w.34 of IPC and on completion of investigation Keesara Police filed charge sheet and the same was taken on file vide C.C.No.182 of 2016. Vide judgment dated 28-02-2020, learned Magistrate has convicted the 2nd respondent and others. Though the said common order dated 07-09-2017, the 2nd respondent has lodged the present complaint on 08-12-2017 alleging trespass etc. Though the same was referred, without considering the same, the Investigating Officer has laid charge sheet against the petitioners herein. Therefore, the contents of the charge sheet in C.C.No.2192 of 2018 are contrary to the findings of the Court below in common order dated 07-09-2017.

In view of the same, matter requires examination.

Therefore, there shall be stay of all further proceedings including the appearance of the petitioners herein / A-1 to A-14 only in C.C.No.2192 of 2018 pending on the file of the XXXIII Addl. Metropolitan Magistrate, Cyberabad at Malkajgiri, Ranga Reddy District.

**SD/- M. MANJULA
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The XXXIII Addl. Metropolitan Magistrate, Cyberabad at Malkajgiri, Ranga Reddy District
2. The X Metropolitan Magistrate,, Malkajgiri, Cyberabad
3. The Station House Officer, Keesara Police Station, Rachakonda Commissionerate Having office at Vayupuri, Neredmet. Medchal Malkajgiri District.
4. Panjala Jaihind Goud, S/o. Poshetty, Occ Business, R/ o. H. No. 2-1-79 / 8/ 1, Raghavendra Colony, Uppal, Medchal Malkajgiri District. (by RPAD- along with a copy of petition and memorandum of grounds)
5. Two CCs to the Public Prosecutor, High Court for the State of Telangana, Hyderabad (OUT)
6. One CC to Sri Police Venkat Reddy Advocate [OPUC] ✓
7. One spare copy

HIGH COURT

KLJ

DATED:23/03/2022

LIST ON 22.04.2022

NOTICE BEFORE ADMISSION

CRLP.No.2659 of 2022

STAY

