

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE FOURTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE Dr. JUSTICE G.RADHA RANI

CRIMINAL PETITION NO: 11175 OF 2023**Between:**

K.Saritha, D/o Pullaiah, aged about 35 years R/o H.No. 4-6-12/2, Baba Nagar, Road,
Occ: Housewife, Veer Savarkar Nagar, Nacharam, Hyderabad.

...PETITIONER/ACCUSED

AND

1. The State of Telangana, through S.H.O., Amberpet Police Station, Hyderabad District, rep. by its Public Prosecutor, High Court, Hyderabad.
2. K.Vijay, Sub-Inspector of Police, Amberpet P.S., Hyderabad.

...RESPONDENT/COMPLAINANTS

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 the charge sheet in C.C.No. 2953 of 2023 on the file of the IV Addl. Chief Metropolitan Magistrate at Hyderabad, and quash the proceedings thereon.

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 grant stay of all further proceedings including the appearance of the petitioners in C.C.No. 2953 of 2023 on the file of the IV Addl. Chief Metropolitan Magistrate at Hyderabad, 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 G. JAYA REDDY, Advocate for the Petitioner and the Assistant Public Prosecutor on behalf of the Respondent No.1 and none appeared for the Respondent No.2.

The Court made the following: ORDER

THE HONOURABLE DR.JUSTICE G. RADHA RANI

CRIMINAL PETITION No.11175 OF 2023

ORDER:

This Criminal Petition is filed by the petitioner / accused under Section 482 of the Criminal Procedure Code (for short Cr.P.C.) to quash the proceedings in C.C.No.2953 of 2023 pending on the file of the IV Additional Chief Metropolitan Magistrate, Hyderabad, for the offences punishable under Sections 341, 353, 504 and 506 of IPC.

2. The case of the prosecution, in brief, was that on 21.02.2023, at 10.30 p.m., respondent No.2 lodged a complaint stating that on the same day at 06.30 p.m., he received information from East Zone Control that one woman by name K.Saritha (petitioner herein) was creating nuisance at East Zone Office regarding the Osmania University Police not taking action in her case. On that, she was brought to the Police Station under the escort of Woman Police, but she argued and created nuisance and objected the duties of the officials. Thereafter, she also threatened to commit suicide alleging that Police were not taking any action in her case. Basing on the said report, a case was registered in Crime No.68 of 2023, under Sections 341 and 353 IPC and after completing investigation, police filed charge sheet against the petitioner for the offences punishable under Sections 341, 353, 504 and 506 of IPC.

3. Heard the learned counsel for the petitioner and the learned Assistant Public Prosecutor for the respondent No.1 – State.
4. Learned counsel for the petitioner submitted that the uncontroverted allegations made against the petitioner in the FIR/charge sheet would not disclose commission of any offence or make out a case against the petitioner. Respondent No.2 forcibly brought the petitioner to the police station without any escort of Women Police. For no fault of the petitioner, she was roped into this false case and police were trying to brand the petitioner as a habitual offender taking advantage of the false cases foisted against her in Crime No.18 of 2019 of Venkatapuram Police Station, Mulugu District and Crime No.768 of 2022 of Saroornagar Police Station.
5. On the other hand, the learned Assistant Public Prosecutor contended that it was not a fit case to quash the proceedings against the petitioner at this juncture and the matter has to be decided after conducting full trial by the Court below.
6. On a perusal of the charge-sheet, this Court is of the view that the truth or otherwise of the allegations made against the petitioner could be decided only after full trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioner. But, however considering that the petitioner is a woman, her appearance / attendance before the Court of

IV Additional Chief Metropolitan Magistrate, Hyderabad in C.C.No.2953 of 2023, is dispensed with unless her presence is required by the trial court.

7. Accordingly, the Criminal Petition is disposed of.

As a sequel, miscellaneous applications pending in this petition, if any, shall stand closed.

**SD/- C. PRAVEEN KUMAR
ASSISTANT REGISTRAR**

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SECTION OFFICER

To,

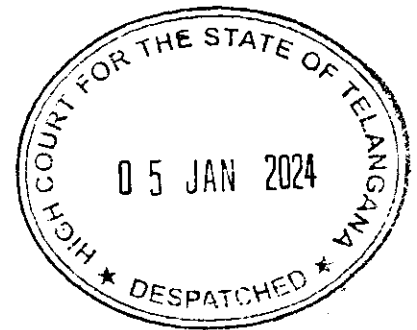
1. The IV Addl. Chief Metropolitan Magistrate at Hyderabad.
2. The Station House Officer, Amberpet Police Station, Hyderabad.
3. Sri K.Vijay, Sub-Inspector of Police, Amberpet P.S., Hyderabad.
4. One CC to SRI G. JAYA REDDY, Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
6. Two CD Copies

MP
GJP

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HIGH COURT

DATED:14/11/2023



ORDER

CRL.P.No.11175 of 2023

DISPOSING OF THE CRIMINAL PETITION

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