

**IN THE COURT OF THE XVI.ADDL JUDGE- CUM- XX.ADDL CHIEF
JUDICIAL MAGISTRATE:SECUNDERABAD**

**Present: J. Upender Rao,
XX.Addl Chief Judicial Magistrate.**

Tuesday, this the 24th day of February, 2026

**CC.No. 1922 of 2019
(Cr.No. 62/2019 of PS Begumpet)**

Between:

The State, through S.I. of Police, Begumpet.

...Complainant.

And

1. Kandi Ramesh, S/o. Kandi Rama Rao, Aged: 49 years, Occ: Business, R/o. Trishul Apartment, Prakash Nagar, Begumpet, Secunderabad
2. Mantri Dharmateja Yadav, S/o. Late M. Jeevan, Aged: 29 years, Occ: Business, 1-3-257, Comsary Bazar, Near Rama Mandir, New Bowenpally, Secunderabad.
3. Mantri Mallesh Yadav,S/o. Late M. Jeevan, Aged: 29 years, Occ: Business, 1-3-257, Comsary Bazar, Near Rama Mandir, New Bowenpally, Secunderabad.

(The case against A1 abated on 02.05.2025

... Accused Nos. 1 to 3

*This case coming before me on 17.02.2026 for final hearing and disposal in the presence of learned **Additional Public Prosecutor**, for the State, and **Sri Y. Prashanth**, Counsel for accused Nos.1 to 3 upon perusing the material papers on record and upon hearing the arguments of both sides, and having stood over for consideration, till this day, this court delivered the following.*

J U D G M E N T

The Sub Inspector of Police, Begumpet P.S filed charge sheet in Cr. No.62 of 2019 against the accused Nos.1 to 3 alleging that they committed an offence U/Sec.341, 342, 323 IPC punish them for the said offences.

[2.] **Briefly stated, the prosecution case is like this:** That on 10.03.2019 at 18.45 hrs, the informant by name LW1/Bathula Vijaya Madhukar Reddy, S/o. Bathula Christopher Reddy, in which he stated that in the month of July, 2018 he met a person by name Ramesh Gupta through his friend Anand. Due to financial problem he asked Ramesh Gupta for financial help by keeping his Chevrolet Car bearing No.MH-06-AF-5851. As Ramesh Gupta was not having money, he introduced one person by name Dharmateja, R/o. Bowenpally and kept him and given cash of Rs.70,000/-, on receipt of amount LW1 promised to return the said amount within three months. LW.1/Bathula Vijaya Madhukar further complained that on 09.03.2019 at around 6.30 P.M., when he was at Mytrivanam, Ameerpet, accused No.1 asked him to come to Gupta Hostel situated at Prakash Nagar, Begumpet. After some time you/accused No.3 along with the accused No.1&2 came to Gupta Hostel and asked the LW1 when he will return the month and used filthy language and abused him and tied his hands and taken him to Pent House and locked there for entire night. LW1/Bathula Vijaya Madhukar informed the matter to his relative Prasanna Reddy through his phone, after know the matter the accused released the LW.1 at around 12.00 PM. Hence, LW1 requested to take necessary action as per the law.

[3.] That on receipt of the written information the LW6/C.Sainath Reddy, S.I of Police registered a case in F.I.R No.110/2019 U/s.341, 342, 323 IPC and took up investigation. During the course of investigation the LW6/C.Sainath Reddy visited the scene of offence and conducted scene of offence panchanama and drafted rough sketch and later

secured the presence of LW2/S.Prasanna Kumar Reddy examined and recorded his statement.

[4.] The LW6/C.Sainath Reddy, SI of Police served the notice U/s 41-A of Cr.P.C. to the accused and as the accused complied the notice and after completion of investigation the LW6/C.Sainath Reddy filed charge sheet against the accused for the offence punishable U/Sec.341, 342, 323 IPC.

[5.] Considering the charge sheet and material on record the XI. Additional Metropolitan Magistrate, Secunderabad took the case on file for the offence punishable U/Sec. U/Sec.341, 342, 323 IPC and issued summons to the accused. Later the case was transferred to this court in view of orders of Hon'ble Metropolitan Session's Judge, Hyderabad vide Dis.No. 6438 dated 19.12.2023. After receipt of the record this court issued summons to the accused Nos.1 to 3. In response to the process accused Nos.1 to 3 entered for their appearance and they were provided with the copies of documents U/Sec.207 of Cr.P.C upon which the prosecution relied to prove the proposed guilt.

[6.] During the examination U/Sec.251 of Cr.P.C. the substance of accusation read over and explained, for which the accused Nos. 1 to 3 pleaded not guilty and claimed to be tried. Upon invitation for trial out of SIX witnesses, the concerned police has failed to serve the summons to the witnesses and produce any one of the witness to prove the prosecution case.

[7.] As there was no incriminating material evidence against the accused the examination U/Sec.313 of Cr.P.C was dispensed with.

[8.] Heard arguments on both sides.

[9.] Now, the point that arises for consideration is:

Whether the evidence on record is sufficient to record conviction against the accused No.2 & 3 for the offences punishable U/Sec. 304 A, 279 IPC r/w. 184 MV Act.”

[10.] **Evidence on record:** Though the police cited Six witnesses in the memo of evidence, but they have failed to serve summons to any one of the witnesses and produce them before the court for their examination due to which the evidence of LWs.1 & 2 was closed on 23.01.2026 and the evidence of Lws.3 to 6 was closed on 13.02.2026. Despite of the same the concerned police did not take any steps to file the petition to recall the witnesses, that itself shows that the concerned police is not interested to prosecute the case. As there is no evidence on reord, the question of the examination of accused Nos.2 & 3 under section 313 of Cr.PC does not arise. As such the case is posted for consideration. Since the police concerned failed to serve the summons of the witness and produce them before this court, this court feels that th prosecution has utterly failed to prove its case, as such, the accused Nos.2 & 3 are entitled for acquittal.

[11.] **IN THE RESULT:-** the accused Nos.2 & 3 are found not guilty for the offence punishable U/Sec.341, 342, 323 IPC and accordingly they are acquitted U/Sec. 255(1) Cr.P.C. As no bail bonds executed by the accused, no order as to cancellation of bail bonds. No property.

Typed on my desktop, after correction pronounced by me in the open Court on 24th day of February, 2026.

**XVI Addl Judge-Cum- XX Addl
Chief Judicial Magistrate, Secunderabad**

APPENDIX OF EVIDENCE
WITNESSES EXAMINED

For prosecution:

None

For Defence :

None

Exhibits marked

For prosecution: Nil

For Defence: Nil

No of Material Objects Marked
Nil

**XVI.Addl. Judge-Cum- XX.Addl.
Chief Judicial Magistrate, Secunderabad**