

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE FOURTEENTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY FIVE

:PRESENT:
THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

IA No. 1 OF 2025
IN
CRLP NO: 2126 OF 2025

Between:

1. Swathi Kolipaka, W/o Late Surenderbabu, Occ. Housewife, R/o H.No.2-86, Mutharam Village, Shankarapatnam Mandal, Karimnagar.
2. Anil Nune, S/o Odelu, Occ. Private Employee, R/o H.No.2-86, Mutharam Village, Shankarapatnam Mandal, Karimnagar.

...Petitioners/Accused Nos.1 & 2
(Petitioners in CRLP 2126 OF 2025
on the file of High Court)

AND

1. The State of Telangana,, Rep. by its Public Prosecutor, High Court for the State of Telangana At Hyderabad.
2. Laxmi Kolipaka, W/o Mallaiah, Occ. Housewife, R/o Subash Colony, Bhupalpally, Jayashankar Bhupalpally.

...Respondents
(Respondents in-do-)

Counsel for the Petitioners : Sri MEKALA SANTOSH KUMAR
Counsel for the Respondent No.1: Sri Jithender Rao Veeramalla, Addl. PUBLIC PROSECUTOR

Petition under Section 528 of BNSS praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to stay all further proceedings including appearance of the petitioners in C.C.No.776 of 2023 on the file of Principal Judicial First Class Magistrate at Bhupalpally, pending disposal of CRLP No. 2126 of 2025, on the file of the High Court.

The Court made the following

ORDER:

This application is filed by the petitioners-accused Nos.1 and 2 seeking to grant stay of all further proceedings, including their appearance, in C.C.No.776 of 2023 on the file of the Principal Judicial First Class Magistrate, Bhupalapally.

Heard Sri Mekala Santosh Kumar, learned counsel for the petitioners and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for the respondent-State.

Learned counsel for petitioners submits that petitioner-accused No.2 is the brother of petitioner-accused No.1. Petitioner-accused No.1 was married to the son of the 2nd respondent. He further submits that the alleged incident had occurred on 28.10.2022, however, the present complaint was lodged by the *de facto* complainant on 31.12.2022 i.e., there is a delay of more than two months in lodging the complaint. He further submits that after the death of respondent No.2's son, who is an employee in Singareni Collieries, disputes arose between the parties, who are family members, with regard to the death benefits. Hence, he prayed to grant stay of all further proceedings against the petitioners.

On the other hand, learned Additional Public Prosecutor opposed for grant of stay stating that specific allegations are levelled against the petitioners.

Having heard both sides and perused the material on record, it appears that there are disputes between the parties, who are family members, with regard to the death benefits and there is a delay in lodging the complaint. In the said circumstances, there shall be stay of all further proceedings against the petitioners-accused Nos.1 and 2 in C.C.No.776 of 2023 on the file of the Principal Judicial First Class Magistrate, Bhupalapally, till 05.04.2025.

//TRUE COPY//

SD/- A.V.S.PRASAD
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Judicial First Class Magistrate at Bhupalpally
2. The Station House Officer, Bhupalapally, Jayashankar Bhupalapally
3. Laxmi Kolipaka, W/o Mallaiah, Occ. Housewife, R/o Subash Colony, Bhupalpally, Jayashankar Bhupalpally. (By RPAD)
4. One CC to SRI MEKALA SANTOSH KUMAR Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. (OUT)
6. One spare copy

HIGH COURT

JS,J

DATED:14/02/2025

ORDER

I.A.NO.1 OF 2025
IN
CRLP.No.2126 of 2025

STAY

