

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
TUESDAY, THE TWENTY NINTH DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SMT JUSTICE G.ANUPAMA CHAKRAVARTHY
CRIMINAL PETITION NO: 8235 OF 2023

Between:

1. P Vengal Rao S/o P Ramanaiah
2. P Saraswathi, W/o P Vengal Rao
3. D Anil Reddy Kumar, S/o D Harinath Reddy
4. D Chandra Sena, W/o D Anil Kumar Reddy
5. M Bhavani Prasad,
6. M Madhavi, W/o Bhavani Prasad
7. M Ramalinga Reddy, S/o M Venkateswar Reddy
8. M Swarajya Lakshmi, W/o M Ramalinga Reddy
9. Srinivas Raju P, S/o Gandhi Raju
10. Deepika P, W/o Srinivas Raju P
11. N Suresh Kumar, S/o N Krishna
12. T Praveen Kumar, S/o Late T Paramesh
13. J Visveswar Rao, S/o J Raghavaiah
14. J Sushma, D/o Visveswar Rao

Petitioners/Accused No.1 to 4

AND

1. The State of Telangana, Rep. by its Public Prosecutor High Court for the State of Telangana Hyderabad.
2. Busi Reddy Venkateswar Reddy S/o Late B Jayarami Reddy, Occ.Computer Service Resident at Flat No.401 Veera Residency, Nizampet Road, Hydernagar, Hyderabad, Telangana.

Respondent/Complainant

WHEREAS the Petitioners above named through their Advocate Sri M S Achyuth Bharthwaj 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 relating to CC.No. 3614 of 2020 on the file of III Additional District Judge - Cum- II Additional Metropolitan Sessions Judge - Cum - Principal Family Court, Medchal - Malkajgiri District at Kukatpally and quash the same ;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri M S Achyuth Bharthwaj 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;

Busi Reddy Venkateswar Reddy, S/o Late B Jayarami Reddy,
Occ.Computer Service Resident at Flat No.401 Veera Residency, Nizampet
Road, Hydernagar, Hyderabad, Telangana.

are directed to show cause on or before 06.10.2023 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 2023

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the petition, the High Court may be pleased to grant of stay of all further proceedings against the Petitioners/Accused No.1 to 14 including the appearance of the Petitioners/Accused No.1 to 14 in CC.No.3614 of 2020 on the file of III Additional District Judge - Cum- II Additional Metropolitan Sessions Judge - Cum - Principal Family Court. Medchal - Malkajgiri District at Kukatpally pending disposal of CRLP No.8235 of 2023, on the file of the High Court.

The Court made the following:

ORDER

Issue notice to respondent No.2.

Learned counsel for petitioners is permitted to take out personal notice to respondent No.2 by RPAD and file proof of service in the Registry before the next date of hearing.

List on 06.10.2023.

The contention of learned counsel for the petitioners is that the 2nd respondent has illegally occupied the common area in the fourth floor by installing a gate, placing flower pots and nursery and not permitting the residents of petitioners, as such, the association and its members have raised objections, for which reason, the present false complaint has been filed against the petitioners. Therefore, it is a fit case to quash the proceedings against the petitioners – accused Nos.1 to 14.

On perusal of the contents of the sale deed filed by the petitioners, it clearly discloses that it is a common area of each and every person.

In view of the above, the presence of petitioners-accused Nos.1 to 14 in C.C.No.3614 of 2020 pending on the file of the III Additional District Judge – cum – II Additional Metropolitan Sessions Judge – cum – Principal Family Court, Medchal – Malkajgiri District at Kukatpally, is dispensed with till 06.10.2023.

//TRUE COPY//

**SD/- N. CHANDRASEKHAR RAO
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. The III Additional District Judge - Cum- II Additional Metropolitan Sessions Judge - Cum - Principal Family Court. Medchal - Malkajgiri District at Kukatpally
2. The Station House Officer, KPHB Police Station, Cyberabad Commissionerate

3. Busi Reddy Venkateswar Reddy, S/o Late B Jayarami Reddy,
Occ.Computer Service Resident at Flat No.401 Veera Residency, Nizampet
Road, Hydernagar, Hyderabad, Telangana. (by RPAD- along with a copy of
petition and memorandum of grounds)
4. Two CCs to the Public Prosecutor, High Court for the State of Telangana,
Hyderabad (OUT)
5. One CC to Sri M S Achyuth Bharthwaj Advocate [OPUC]
- 6.** One spare copy

HIGH COURT

GAC,J

DATED:29/08/2023

List on 06.10.2023

NOTICE BEFORE ADMISSION

CRLP.No.8235 of 2023

DIRECTION

