

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**FRIDAY, THE TWENTY SECOND DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 10728 OF 2025

Between:

Ghanapuram Somaiah, S/o late Mallaiah Aged 52 years occ: Agriculture R/o
Thorrur (V and M) Mahabubabad Dist

...PETITIONER/ACCUSED

AND

1. The State of Telangana, Rep. through its Public Prosecutor, High Court, At
Hyderabad

...RESPONDENT NO.1

2. Bathula Yakaiah, S/o Sailu Age 47 years, Occ. Agriculture R/o. Velikatte (V)
Thorrur (M) Mahabubabad District.

...RESPONDENT NO.2/DE-FACTO COMPLAINANT

Petition under Section 528 of BNSS praying that in the circumstances
stated in the Memorandum of Grounds of Criminal Petition, the High Court may
be pleased to quash the Proceedings in CC. No.205/2022 which is pending on
the file of Judicial First Class Magistrate at Thorrur, Mahabubabad District

I.A. NO: 1 OF 2025

Petition under Section 528 of BNSS 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 appearance of the
Petitioner/Accused in CC. No.205/2022 which is pending on the file of Judicial
First Class Magistrate at Thorrur, Mahabubabad District, pending disposal of the
main quash proceedings

This Petition coming on for hearing, upon perusing the Memorandum of
Grounds of Criminal Petition and upon hearing the arguments of Sri M V
HANUMANTHA RAO, Advocate for the Petitioner and SRI JITHENDER RAO
VEERAMALLA, Additional Public Prosecutor on behalf of the Respondent No.1
and None Appeared for the Respondent No.2

The Court made the following: ORDER

THE HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA
CRIMINAL PETITION No.10728 of 2025

ORDER:-

This Criminal Petition is filed by the petitioner/accused seeking to quash the proceedings against him in C.C.No.205 of 2022, on the file of the learned Judicial First Class Magistrate at Thorrur, Mahabubabad.

2. Heard Mr.M.V.Hanumantha Rao, learned counsel for the petitioner and Sri Jitender Rao Veeramalla, the learned Additional Public Prosecutor representing the respondent No.1-State.
3. Learned counsel for the petitioner submits that petitioner purchased the land in 2012, while the *de facto* complainant purchased the adjacent land in 2013. A boundary dispute exists between both the parties. The petitioner intended to sell his land but encountered a dispute with the *de facto* complainant. The present complaint has been filed with false allegations, and the petitioner never deceived anyone regarding the boundaries. He therefore, prayed to quash the proceedings against him.
4. Learned Additional Public Prosecutor has opposed the petition, submitting that LW-1 clearly discloses that petitioner herein has deceived several other victims by showing incorrect boundaries

and selling the land to them. Therefore, he prayed to dismiss the petition.

5. Perused the record. The statement of LW-1 and other witnesses clearly point to the allegations against the petitioner. The veracity of the witnesses is to be tested during the course of trial. The offences alleged against the petitioners are under Sections 420 and 506 of IPC. The case is pending before the learned Judicial First Class Magistrate, Thorrur, Mahabubabad *vide* C.C.No.205 of 2022. Hence, this Court is not inclined to interfere with the judicial process. However, the attendance of the petitioner/accused is dispensed with before the trial Court, unless his presence is specifically required during the course of trial, provided that he shall be represented by his counsel on every date of hearing.

6. Accordingly, this Criminal Petition is disposed of.

Miscellaneous petitions pending, if any, shall stand closed.

SD/-M.NAGAMANI
ASSISTANT REGISTRAR

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SECTION OFFICER

To,

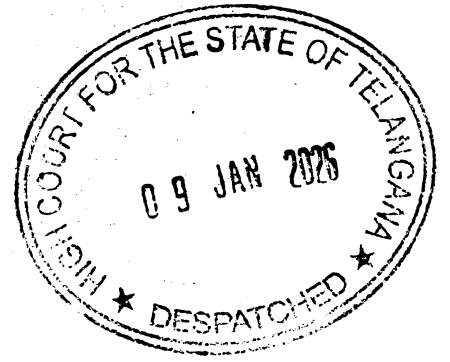
1. The Judicial First Class Magistrate at Thorrur, Mahabubabad District
2. The Station House Officer, Thorrur Police Station, Thorrur, Mahabubabad District
3. One CC to SRI M V HANUMANTHA RAO Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
5. Two CD Copies

VM/PSL 48

HIGH COURT

DATED: 22/08/2025

ORDER
CRLP.No.10728 of 2025



DISPOSING THE CRIMINAL PETITION

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