

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

**TUESDAY, THE TWELFTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FOUR**

**:PRESENT:
THE HON'BLE SRI JUSTICE E.V. VENUGOPAL**

**IA No. 1 OF 2024
IN
CRL.P. NO: 13661 OF 2024**

Between:

1. Ettam Krishna, S/o. Ramulu,
2. Smt. Ettam Padmavathi, W/o. Ettam Krishna,

**Petitioners
(Petitioners in Crl.P. No. 13661 of 2024
on the file of High Court)**

AND

1. The State of Telangana, Rep. by Public Prosecutor, High Court for the State of Telangana, Hyderabad, through PS, Kamareddy
2. Dara Susheela, D/o. Lingaiah, R/o. Q.No. SC2 39, Bus Stand Colony, Ramagundam, Peddapalli

**Respondents
(Respondents in-do-)**

Petition under Section 528 of BNSS, praying that in the circumstances stated in the petition, the High Court may be pleased to stay all further proceedings in Crime No. 507 of 2024, on the file of the Police Station, Godavarikhani-I Town, Peddapalli District, including personal appearance of the petitioners, pending disposal of Crl. P No. 13661 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the petition filed therein, and upon hearing the arguments of Sri T. Ramchandra Rao, Advocate for the petitioners, and the Addl. Public Prosecutor for the Respondent No.1, the Court made the following;

ORDER:

This Criminal Petition is filed seeking to quash the proceedings against the petitioners/accused Nos.1 and 2 in F.I.R. No.507 of 2024 on the file of the Station House Officer, Godavarikhani I Town Police Station, Peddapalli District for the offences punishable under Sections 318(2), 318(4), 81, 351(2) BNS, Section 3(1)(r)(s), 3(2)(va) of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Learned counsel for the petitioners would submit that respondent No.2 had lodged a false complaint stating that petitioner No.1 cheated her and induced her to have sexual intercourse with him but infact it was a consensual sexual intercourse. He would further submit that there were financial disputes between both the parties and later, resolved by the intervention of elders. He stated that petitioner No.1 had issued a cheque and a promissory note to that effect. Therefore, learned counsel would submit that at the most the offence that could be attracted against the petitioners is Section 138 of the Negotiable Instruments Act and seeks to pass appropriate orders.

Opposing the same, learned Additional Public Prosecutor would submit that unless and until further investigation is permitted to be carried on, the real truth cannot be elicited. Therefore, he seeks to dismiss this Criminal Petition.

This matter needs detailed examination.

In the meantime, there shall be stay of proceedings in F.I.R. No.507 of 2024 on the file of the Station House Officer, Godavarikhani I Town Police Station, Peddapalli District till 10.12.2024.

List on 10.12.2024.

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

//TRUE COPY//

SECTION OFFICER

To,

1. The I Addl. Judicial Magistrate of First Class, Godavarikhani, Peddapalli District.
2. The Station House Officer, Godavarikhani-I Town Police Station, Peddapalli District.
3. Dara Susheela, D/o. Lingaiah, R/o. Q.No. SC2 39, Bus Stand Colony, Ramagundam, Peddapalli (by RPAD)
4. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad (OUT)
5. One CC to Sri T.Ramchandra Rao, Advocate (OPUC)
6. One Spare copy

HIGH COURT

EVV,J

DATE: 12-11-2024

ORDER

I.A. NO.1 OF 2024

IN

CRL.P. NO. 13661 OF 2024

STAY

