

[3299]

HIGH COURT FOR THE STATE OF TELANGANA HYDERABAD

THURSDAY, THE FOURTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FOUR

:PRESENT:
THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

IA No. 1 OF 2024
IN
CRLRC NO: 1139 OF 2024

Between:

1. Puskuri Narsinga Rao, S/o. Venkata Rama Rao.
2. Puskuri Pavan Kumar, S/o. Narsinga Rao.

...Petitioners/Rev. Petitioners/Accused No.1 & 2
(Petitioners in CRLRC 1139 OF 2024
on the file of High Court)

AND

1. The State of Telangana, Rep. By its Public Prosecutor, High Court for the State of Telangana Hyderabad.
2. Bairineni Raghu, S/o. Lachaiah, Occ: Retd. SCCL employee, R/o. Ward No.23, Uru Mandamarri of Mandamarri Mandal, Mancherla District – 504231.

...Respondents/Respondents/De-facto Complainant
(Respondents in-do-)

Counsel for the Petitioner : Sri N.N. SOMENDRA REDDY

Counsel for the Respondent No.1: 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 pursuant to order dated 18-10-2024 passed in CrI.MP.No.955 of 2023 in Crime No.54 of 2022 of P.S. Mandamarri on the file of Spl. Judge for trial of Cases under SCs and STs (PoA) Act cum II Addl. District & Sessions Judge, Adilabad, Pending disposal of CRLRC No.1139 of 2024, on the file of the High Court.

The Court made the following;

ORDER:

Learned counsel for the revision petitioner(s) would submit that the case pertains to civil disputes and all the witnesses who stated to have been eye witnesses have not supported the case of the de facto complainant. Hence, final report has been filed

stating the case as false. He would further submit that the learned trial Court without considering the same upon filing the protest petition under Sections 200 and 202 of Cr.P.C taken cognizance of the offences under Sections 290, 506 read with 34 of IPC, Sections 3 (1) (r) (s), 3 (2) (va) of SCs & STs (POA) Amendment Act, 2015 and had issued summons on payment of process against the petitioner(s).

Learned counsel would further submit that the petitioner(s) are being harassed unnecessarily and inspite of thorough investigation has been completed no purpose would serve except resulting in abusing the process of law and causing harassment to the petitioner(s) herein.

This matter needs detailed examination.

In the meantime, as an interim measure the order passed by the learned trial Court in CrI.M.P.No.955 of 2023 in Cr.No.54 of 2022 of P.S. Mandamarri on the file of the learned Spl. Judge for trial of cases under SCs & STs (POA) Act-cum-II Additional District and Sessions Judge, Adilabad stands suspended till next date of hearing.

SD/-K.SREE RAMA MURTHY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Spl. Judge for trial of Cases under SCs and STs (PoA) Act cum II Addl. District & Sessions Judge, Adilabad.
2. Bairineni Raghu, S/o. Lachiaiah, Occ: Retd. SCCL employee, R/o. Ward No.23, Uru Mandamarri of Mandamarri Mandal, Mancherial District – 504231 (By RPAD)
3. One CC to Sri N.N. SOMENDRA REDDY, Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad [OUT]
5. One spare copy

HIGH COURT

EVV, J

DATED:14/11/2024

LIST ON 12.12.2024

ORDER

**IA No. 1 OF 2024
IN
CRLRC NO: 1139 OF 2024**



INTERIM SUSPENSION