

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

MONDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 13849 OF 2025

Between:

1. Algole Mahesh Kumar, S/o Late Algole Narsimulu, Aged 44 yrs, Occ. Software Engineer, R/o.H.No. 1-1-54, Manik Prabhu Mohala Zaheerabad Town.
2. Algole Srinivas, S/o Late Algole Narsimulu, Aged 42 yrs, Occ. Mahindra and Mahindra Employee, R/o.H.No. 1-1-54, Manik Prabhu Mohala Zaheerabad Town.
3. Smt Maheshwari, W/o Algole Mahesh Kumar Aged 35 yrs, Occ. House Wife, R/o.H.No. 1-1-54. Manik Prabhu Mohala Zaheerabad Town.
4. Smt Ambika, W/o Algole Srinivas, Aged 27 yrs, Occ. House Wife, R/o.H.No. 1-1-54, Manik Prabhu Mohala Zaheerabad Town.

...PETITIONER/ACCUSED NO.1 to 4

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court for the State of Telangana, At Hyderabad.
.... Respondent
2. Algole Bakkamma, W/o. Late Narsimulu. age 58 years, occ. House Old, R/o.H.No. 1-1-54, Manik Prabhu Mohala Zaheerabad Town.

Also :-

C/o Korba Geetha H.No.5-6-120/10, Kantha Reddy Colony, Zaheerabad town, Sangareddy District,

C/o: Algole Sujatha R/oHIG-1, Housing Board colony, Siddapur Rural, Sadashivapet Mandal, Sangareddy District. Telangana.

...RESPONDENT/DEFACTO 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 criminal proceedings in CC No.1367/2024 on the file of Judicial First Class Magistrate at Zaheerabad.

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 STAY all further proceedings including appearance of the petitioners/accused in CC No.1367/2024 on the file of Judicial First Class Magistrate at Zaheerabad, pending disposal of the quash petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri ASHOK KUMAR PODUGU, Advocate for the Petitioners and Mr. Jithender Rao Veeramalla Addl. Public Prosecutor on behalf of the Respondent No.1 and none appeared for Respondent No.2.

The Court made the following: ORDER

THE HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.13849 of 2025

ORDER:

This Criminal Petition is filed under Section 528 Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') to quash the proceedings in C.C.No.1367 of 2024 on the file of Additional Junior Civil Judge-cum-Judicial Magistrate of First Class at Zaheerabad.

2. Heard Mr.Podugu Ashok Kumar, learned counsel for the petitioners and Mr. Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for the respondent No.1.

3. Learned counsel for the petitioners submits that the de facto complainant is the mother of accused Nos.1 and 2, and the mother-in-law of accused Nos.3 and 4. He further submits that the daughters of the de facto complainant have filed a partition suit seeking division of the joint family properties, and in order to settle those disputes, the present complaint has been falsely lodged through the de facto complainant. He further submits that there is no eyewitness to the incident and that the medical certificate is undated. He also contends that there is no truth in

the allegations and that there is an unexplained delay in lodging the complaint, as the alleged incident occurred on 30.04.2024, while the complaint was registered only on 07.05.2024. Hence, he prayed to quash the proceedings against the petitioners.

4. The learned Additional Public Prosecutor opposed the petition, submitting that due to the property disputes prevailing within the family, the accused herein had allegedly assaulted the de facto complainant, as a result of which she sustained injuries and was treated by LW7, who also issued the injury certificate. He, therefore, prayed to dismiss the petition.

5. Perused the record.

6. The contents of the complaint and the recitals in the charge sheet point out the alleged offences against the petitioners herein. It is alleged that the de facto complainant was beaten by accused Nos.1 to 4 and was also abused and threatened. LW7 is the doctor who issued the medical certificate.

7. Therefore, the veracity of the statement of the witnesses and the strength of the medial evidence needs to be tested during the course of trial. Hence, this Court deems it appropriate to

dispense with the presence of the petitioners before the trial Court.

8. Accordingly, this Criminal Petition is disposed of dispensing with the presence of the petitioners before the trial court provided that they are represented by a counsel before the trial court on every date of hearing and shall appear before the trial court whenever their presence is required during the course of trial.

As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

SD/- U.SUDHA
ASSISTANT REGISTRAR



//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Zaheerabad.
 2. The SHO, PS Zahirabad Town, Sanga Reddy District.
 3. One CC to SRI. ASHOK KUMAR PODUGU Advocate [OPUC]
 4. One CC to ADDL PUBLIC PROSECUTOR Advocate [OPUC]
 5. Two CD Copies
- GE/PSL

PA

HIGH COURT

DATED:27/10/2025

ORDER

CRLP.No.13849 of 2025



DISPOSED OF THE MACMA WITHOUT COSTS

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⑦ 19/11/25