

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

FRIDAY, THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HON'BLE SRI JUSTICE E.V. VENUGOPAL

**IA No. 2 OF 2024
IN
CRLP NO: 15602 OF 2024**

Between:

Mittapelli Venkatesham, S/o Raja Lingam

...Petitioner

(Petitioner in CRLP 15602 OF 2024
on the file of High Court)

AND

1. The State of Telagnana, Rep. by its Public Prosecutor, High Court for the State of Telangana at Hyderabad.
2. Thallapelli Jaya, W/o Laxminarayana, Occ. Labour, R/o Plot No.48, Jagdish Nagar Colony, Rasoolpura, Secunderabad.

...Respondents

(Respondents in-do-)

Counsel for the Petitioner:

Sri Khaja Vizarath Ali

Counsel for the Respondent No.1:

Additional Public Prosecutor

Counsel for the Respondent No.2:

Ms. Radhika

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 of all further proceedings including arrest of the petitioner in F.I.R.No.544 of 2024 On the file of P.S. Peddapalli, Ramagundam, Pending disposal of CRLP No.15602 of 2024, on the file of the High Court.

ORDER:

Learned counsel for the petitioner submits that ingredients of Section 109 of BNS does not attract as the complainant has not been inflicted with any injuries and no medical certificate is filed to that effect. He further submits that the dispute is essentially of civil in nature, which is given a cloak of criminal offence; the

petitioner has good grounds to succeed in the case. Hence, seeks to allow the petition.

The matter needs detailed examination.

Learned APP vehemently opposed the submissions made by the learned counsel for the petitioner and contended that the investigation is yet to be completed and interference of this Court at this stage is unwarranted. Therefore, he prayed to dismiss the Petition.

In the meantime, as an interim measure, this Court deems it appropriate to stay all further proceedings against the petitioner/accused in Cr.No.544 of 2024 on the file of Peddapalli Police Station, Ramagundam District for the offences punishable under Sections 75(2), 329(1), 79, 351(2), 109 BNS, 3(I)(r)(s)W(ii) SC ST POA Act, till 23.01.2025.

//TRUE COPY//

SD/-V.KAVITHA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Peddapalli
2. The Station House Officer, PS Peddapalli, Ramagundam Commissionerate
3. Thallapelli Jaya, W/o Laxminarayana, Occ. Labour, R/o Plot No.48, Jagdish Nagar Colony, Rasoolpura, Secunderabad. (By RPAD)
4. One CC to SRI KHAJA VIZARATH ALI, Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad [OUT]
6. One spare copy

HIGH COURT

EVV, J

DATED:27/12/2024

ORDER

**IA NO.2 OF 2024
IN
CRLP.No.15602 of 2024**

STAY

