

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

FRIDAY, THE THIRD DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HON'BLE SMT JUSTICE JUVVADI SRIDEVI

IA No. 1 OF 2024

IN

CRLP NO: 16022 OF 2024

Between:

1. Tungala Laxmi Raghava, S/o Srinivasa Perumallu
2. Smt.Lakshmi Shirisha Pasupuleti, W/o Tungala Naga Sampath Kumar
3. Sai Balaji Nagishetti, S/o Venkateswarlu
4. Nandyal Janardhan Reddy, S/o Veera Reddy

...Petitioners/Accused Nos.2,3,5 &6
(Petitioners in CRLP 16022 OF 2024
on the file of High Court)

AND

1. The State of Telangana, Rep by its Public prosecutor, High Court At Hyderabad.
2. Smt.Chittaluru Venkata Prathyusha, W/o Shailendra Bhogaraju, Occ.Private Employee, Resident of B-201, Prakruthi Enclave, Shiridi Sai Layout, beside of KR Puram, RTO Bangalore-49, Near Saibaba Temple, Jyothinagar, Karimnagar dist

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

Counsel for the Petitioners:

SRI VSRMV PRASAD SANAKA

Counsel for the Respondent No.1: ADDITIONAL 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 of all further proceedings in CC No.528/2023 pending Special Judicial Magistrate of First Class Mobile for Trial of Cases under PCR Act cum III additional Junior Civil Judge, Karimnagar against the Petitioner/Accused No.1 including his appearance, pending disposal of CRLP No.16022 of 2024, on the file of the High Court.

ORDER:

This Interlocutory Application is filed seeking stay of all further proceedings against the petitioners-accused Nos.2, 3, 5 and 6 in C.C.No.528 of 2023 on the file of the learned Special Judicial Magistrate of First Class Mobile for trial of cases under PCR Act-cum-III Additional Junior Civil Judge, Karimnagar, registered for the offences under Sections 384 and 506 read with Section 34 of the Indian Penal Code.

Heard Sri VSRMV Prasad Sanaka, learned counsel for the petitioners and Sri V. Jithendar Rao, learned Additional Public Prosecutor for the State-respondent.

Learned counsel for the petitioner submitted that the petitioners are nothing to do with the alleged offences. The statement of LW1 to LW3 discloses that the accused never threatened them to repay the money or there is no allegation of killing her. Therefore, the allegations do not constitute the alleged offences under Sections 384 and 506 read with Section 34 of the Indian Penal Code. The alleged incident occurred on 04.01.2021 and the complaint was lodged on 17.08.2021. There is delay of more than 7 months in lodging the complaint. Hence, he prayed for stay of all further proceedings in C.C.No.528 of 2023 on the file of the learned Special Judicial Magistrate of First Class Mobile for trial of cases under PCR Act-cum-III Additional Junior Civil Judge, Karimnagar.

On the other hand, learned Additional Public Prosecutor for the State submitted that there are specific allegations leveled against the petitioners and prayed this Court to dismiss this petition.

Having regard to the submissions made by either side and on a perusal of record it is apparent that there is delay of more than 7 months delay in lodging the complaint and *prima facie* there are no specific allegations against the petitioners-accused Nos.2, 3, 5 and 6.

In the said circumstances, there shall be stay of all further proceedings against the petitioners-accused Nos.2, 3, 5 and 6 in C.C.No.528 of 2023 on the file of the learned Special Judicial Magistrate of First Class Mobile for trial of cases under PCR Act-cum-III Additional Junior Civil Judge, Karimnagar till 06.02.2025.

//TRUE COPY//

SD/-A.SRINIVASA REDDY
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Special Judicial Magistrate of First Class Mobile for trial of cases under PCR Act-cum-III Additional Junior Civil Judge, Karimnagar
2. The Station House Officer, PS Karimnagar-II (T), Karimnagar
3. Smt.Chittaluru Venkata Prathyusha, W/o Shailendra Bhogaraju, Occ.Private Employee, Resident of B-201, Prakruthi Enclave, Shiridi Sai

Layout, beside of KR Puram, RTO Bangalore-49, Near Saibaba Temple,
Jyothinagar, Karimnagar dist (By RPAD)

4. One CC to SRI. VSRMV PRASAD SANAKA, Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad [OUT]
6. One spare copy

HIGH COURT

JS, J

DATED:03/01/2025

ORDER

**IA NO.1 OF 2024
IN
CRLP.No.16022 of 2024**

STAY

