

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**TUESDAY ,THE TWENTY NINTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY**

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION NO: 4511 OF 2020

Between:

1. N.Manish Rahul Varma, S/o. Kanaka Raju, 48 years r/o. H.No. 1-160 Main Road, Utchili, Atreyapuram East Godavari District.
2. Vasupalli Nagaraju, Vasupalli Raju, 30 years., Flat No. 501, Veera Venkata Nilayam, 4th Cross, Sri Ramnagar Colony, Kondapur, Hyderabad.
3. P.Chandana, D/o. P.Ananda Rao, 34 years, r/o. Plot No. 16, Syndicate bank Colony, Near Ganshyam Super Market, West Maredpally Secunderabad, Hyderabad.

...PETITIONER/ACCUSED No.4,5 &7

AND

1. The State of Telangana, through the Station House Officer, Vanasthalipuram PS Represented by the Public Prosecutor, High Court at Hyderabad.
2. Mr. M.J.Ashok, S/o. M.Jawahar, 59 years Bank Employee, r/o. Sappine Complex, Chapel Road, Hyderabad.

...RESPONDENT/COMPLAINANT

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to call for the records relating to and connected with Cr. No. 708 of 2019 on the file of Station House Officer, Vanastalipuram PS and quash the same in so far as the petitioners/A4, A5, A7 herein are concerned

I.A. NO: 1 OF 2020

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to dispense with the filing of certified copy of FIR in Cr. No. 708 of 2019 on the file of Station House Officer, Vanastalipuram PS, for the presen.

I.A. NO: 2 OF 2020

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to grant stay of all further proceedings in Cr. No. 708 of 2019 on the file of Station House Officer, Vanastalipuram PS in so far as the petitioners/A4, A5, A7 herein are concerned including arrest and appearance

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri PILLIX LAW FIRM ,Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No .1

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION No.4511 OF 2020

ORDER:

This application is filed under Section 482 Cr.P.C., to quash the proceedings in Crime No.708 of 2019, pending on the file of Vanastalipuram Police Station. Petitioners are A-4, A-5 and A-7 in the above said crime. The offences alleged against the petitioners are under Sections 420, 406, 419, 468, 471, 120-B r/w.34 of IPC.

2. Heard learned counsel for the petitioners and the learned Public Prosecutor. Perused the record.

3. Learned counsel for the petitioners would submit that the petitioners herein have already cleared the entire loan amount, and in proof of the same, he has filed the statement of bank account. He would further submit that the contents of the complaint lacks ingredients of the offences alleged against the petitioners herein.

4. On perusal of the entire complaint, it is evident that the dispute is with regard to the loan obtained by the petitioners herein. According to the petitioners, they have already cleared the entire loan, and in proof of the same, they have filed the statement of bank account. The matter requires investigation by the Police.

5. Considering the said submissions, and also the fact that the punishment prescribed for the offences alleged against the petitioners is imprisonment for seven years or below seven years, the Criminal Petition is disposed of directing the Police, Vanastalipuram Police Station, to follow the procedure laid down under Section 41-A of Cr.P.C., and also the guidelines issued by the Apex Court in **Arnesh Kumar v. State of Bihar and another¹**.

6. The Police are directed not to take any coercive steps against the petitioners till the completion of investigation and filing of charge sheet.

Consequently, I.A.Nos.1 and 2 of 2020 shall stand closed.

Sd/- B. SATYAVATHI,
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XXIV Additional Metropolitan Magistrate, Cyberabad at HayathNagar, Ranga Reddy District.
2. The Station House Officer, Vanastalipuram Police Station, Rachakonda District.
3. TWO CCS TO PUBLIC PROSECUTOR, HIGH COURT FOR THE STATE OF TELANGANA, AT HYDERABAD [OUT]
4. One CC to SRI. PILLIX LAW FIRM Advocate [OPUC]
4. Two CD Copies

V. J.

HIGH COURT

KLJ

DATED:29/09/2020



ORDER

CRLP.No.4511 of 2020

DISPOSING THE CRIMINAL PETITION

⑥ VLV
9/10/20