

HIGH COURT FOR THE STATE OF TELANGANA

**THURSDAY, THE EIGHTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY**

PRESENT

THE HON'BLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION No. 4825 OF 2020

Between:

1. Sudagani Ramesh, S/o. Sudagani Yadaiah, aged about 39 years, Occ- Pvt Employee, R/o. H.No.13-3-69/2/1, Kabeer Nagar, Borabanda, Balanagar, K.V. Rangareddy, Telangana State-500018

...PETITIONER/ACCUSED

AND

1. The State of Telangana, through P.S. Sanathnagar, Rep. by its Public Prosecutor of High Court at Hyderabad
2. Smt. Sayannagari Manga, S/o. Late. Sayannagari Narender, Aged about 38 years, Occ- Housewife, R/o.13-3-69/2/1, Kabeer Nagar, Borabanda, Balanagar Mandal, K.V. Rangareddy, Telangana State -500018

...RESPONDENT/COMPLAINANTS

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 the FIR vide Cr. No. 489/2020 dated: 23/9/2020 of P.S. Sanathnagar and quash the said FIR under power of this Hon'ble Court under section 482 of Cr.P.C. as the same is illegal and abuse of process of law in so far as the Petitioner/Accused herein has not committed any offence as alleged by the Respondents herein and

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 inter alia grant stay all further proceedings including the arrest and appearance of the Petitioners/Accused in connection with the FIR vide No. 489/2020 dated: 23-9-2020 of before the SHO, P.S. Sanathnagar, pending disposal of the main Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri. M. Venkata Swamy, Advocate for the Petitioner and the Assistant Public Prosecutor (TG/AP) on behalf of the Respondent No.1,

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K. LAKSHMAN**CRIMINAL PETITION No.4825 OF 2020****ORDER:**

This petition is filed under Section 482 of Cr.P.C., seeking to quash the proceedings in Crime No.489 of 2020 on the file of police, Sanathnagar Police Station, Rangareddy district. The petitioner is accused in the above said crime. The offence alleged against the petitioner is under Section 354 IPC.

2. Heard Sri M.V.Swamy, learned counsel for the petitioner, learned Assistant Public Prosecutor and perused the record.

3. As per the complaint, dated 23.09.2020, the alleged incident took place on 30.08.2020. Admittedly, there is delay of almost 22 days. The petitioner and the 2nd respondent are close relatives. The petitioner is husband of sister-in-law of the 2nd respondent. The allegations appears to be vague. There are disputes between the petitioner and the 2nd respondent with regard to the ancestral properties.

4. In view of the above, the matter requires investigation by the Investigating Officer.

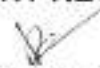
5. Considering the said facts, and also the fact that the punishment prescribed for the offences alleged against the petitioner is imprisonment of seven years or below seven years, the Criminal Petition is disposed of directing the Police, Sanathnagar Police Station, Rangareddy district, to follow the 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 another.**

Miscellaneous petitions pending, if any, shall stand closed.

SD/-K. SAILESHI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Station House Officer, Sanathnagar Police Station, Ranga Reddy District
2. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
3. One CC to Sri. M. Venkata Swamy, Advocate [OPUC]
4. Two CD Copies

Prk 

HIGH COURT

DATED:08/10/2020

ORDER

CRLP.No.4825 of 2020



Disposing of the Crl.P.

⑥ VLW
22/10/20