

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY ,THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION NO: 3711 OF 2021

Between:

Botla Srinivas, S/o Botla Ramulu, Aged about 52 years, Occ.Business, R/o 4-8-28/1,
Dharma Kancha Village, Janagon District, Telangana, 506167.

.....PETITIONER/ACCUSED 1

AND

1. The State of Telangana, through Sanjeevareddy Nagar Nagar Police Station, Hyderabad District rep. by Public Prosecutor, High Court for the State of Telangana, Hyderabad.
2. Dr. Rudrama Devi Pagidipati, w/o Dr. Devaiah Pagidipati Age. 65 years, Occ. Doctor, Chairman and Managing Partner, Anion Healthcare Services Inventcorp technologies Limited R/o . 8th Floor, Swarnajayanthi Complex, S R Nagar, Hyderabad.

...RESPONDENTS

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 connected with FIR No. 541 of 2020 dated 22-07-2020 on the file of Sanjeevareddy Nagar Police Station, Hyderabad City and quash the same

I.A. NO: 2 OF 2021

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 stay of all further proceedings in FIR No 541 of 2020 dated 22-07-2020 on the file of Sanjeevareddy Nagar Police Station, Hyderabad City, pending disposal of the above CrI.P

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri CH VENKAT RAMAN ,Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No.1 and of None appeared for the Respondent No. 2

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION No.3711 of 2021

ORDER:

This Criminal Petition, under Section 482 Cr.P.C., is filed by the petitioner/accused No.1 seeking to quash the proceedings against him in Crime No.541 of 2020 pending on the file of Sanjeevareddy Nagar Police Station, Hyderabad, registered for the offences punishable under Sections 406 and 420 of IPC.

2. Heard learned counsel for petitioner/accused No.1 and the learned Public Prosecutor. Perused the record.

3. Learned counsel for petitioner would submit that there are no allegations, much less specific allegations, against the petitioner herein. He further submits accused Nos.5 to 7 have filed CrI.P.No.1398 of 2021 and this Court vide order, dated 03.03.2021 disposed of the Criminal Petition directing the Investigating Officer to follow procedure laid down under Section 41-1 Cr.P.C. and further directed not to arrest the petitioners therein.

4. Considering the fact that the punishment prescribed for the offences alleged against the petitioner is imprisonment of seven years or below seven years and following the aforesaid order, this Criminal Petition is also disposed of directing the Station House Officer, Sanjeevareddy Nagar Police Station, Hyderabad, to follow the procedure laid down under Section 41-A of Cr.P.C., and also the guidelines issued by the Hon'ble Apex Court in **Arnesh Kumar v. State of Bihar**¹. The Investigating Officer is directed not to arrest the petitioner/accused No.1 till completion of investigation

¹ (2014) 8 SCC 273

and filing of charge sheet. The petitioner shall co-operate with the Investigating Officer in concluding the investigation.

Miscellaneous petitions, if any, pending shall stand closed.

Sd/-B.SATYAVATHI
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The III Additional Chief Metropolitan Magistrate Hyderabad
2. The Station House Officer, Sanjeevareddy Nagar Police Station, Sanjeevareddy Nagar Hyderabad
3. One CC to SRI CH VENKAT RAMAN Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT]
5. Two CD Copies



HIGH COURT

DATED:29/04/2021

ORDER
CRLP.No.3711 of 2021



DISPOSING OF THE CRIMINAL PETITION

AM
31/5/2021 (7)