

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

**WEDNESDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND TWENTY ONE**

**PRESENT
THE HONOURABLE SRI JUSTICE K.LAKSHMAN**

CRIMINAL PETITION NO: 5033 OF 2021

Between:

1. B Ramesh, S/o. Late B Savarappa
2. Nikhil @ Akhil, S/o. Pradeep Habba
3. Murali Mohan, S/o. Mekala Ramakrishna
4. Srinivas Mastri, S/o. Gangaram
5. Namratha, W/o. B. Ramesh

...PETITIONERS/ACCUSED NOS.1, 2, 3, 4 & 9

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court for the State of Telangana at Hyderabad
2. Sumalatha Bathul, S/o.Bathul Savarappa

...RESPONDENTS/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 quash the proceedings in Cr. No.16 of 2021 of P.S. Narayanpet pending on the file of Judicial First Class Magistrate at Narayanpet, against the Petitioners/Accused No.1 to 4 and 9 herein and pass such other order or orders .

I.A. NO: 1 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 all further proceedings in Cr. No.16 of 2021 of P.S. Narayanpet pending on the file of Judicial First Class Magistrate at Narayanpet against the Petitioners/Accused No. 1 to 4 & 9 herein and pass such other order or orders .

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri MAHESH RAJE, Advocate for the Petitioner and of the Public Prosecutor on behalf of the Respondent No.1 and of for the Respondent No.2 not appeared either in person or by Advocate.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION No.5033 OF 2021

ORDER:

This Criminal Petition is filed seeking to quash the proceedings in Crime No.16 of 2021 on the file of Narayanpet Police Station, Narayanpet District, registered for the offences under Sections 448, 323 read with Section 34 IPC. The petitioners herein are Accused Nos.1 to 4 and 9.

Heard the learned counsel for the petitioners and the learned Public Prosecutor.

Perused the record.

In the complaint dated 24.01.2021, the allegations against the petitioners herein are that the petitioners along with twenty other members came on motorcycles and cars entered into the house of the second respondent and took her father-Savarappa Bathul against his will and bet him with sticks and sprinkled chilli powder, and therefore, he received injuries. In view of the said allegations, this Court directed the learned Public Prosecutor to get specific instructions with regard to the nature of injuries sustained by the father of the second respondent. On instructions, learned Public Prosecutor would submit that the victim has received simple injuries.

Thus, there are several factual aspects to be investigated into by the Investigating Officer during the course of investigation.

In the light of the above, this Criminal Petition is disposed of directing the Investigating Officer in Crime No.16 of 2021 on the file of Narayanpet Police Station, Narayanpet District, to strictly 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 a decision reported in

ARNESH KUMAR V/s. STATE OF BIHAR¹. However, it is made clear that the petitioners shall cooperate with the Investigating Officer in concluding the investigation by furnishing the relevant documents as sought by the Investigating Officer.

Miscellaneous Petitions, pending if any, shall stand closed in the light of this final order.

(2014) 8 SCC 273

Sd/-N.CHANDRASEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Judicial First Class Magistrate, at Narayanpet, Narayanpet District.
2. The Station House Officer, Narayanpet Police Station, Narayanpet District.
3. One CC to Sri Mahesh Raje, Advocate (OPUC)
4. Two CCs to Public Prosecutor, High Court for the State of Telangana, Hyderabad (OUT)
5. Two CD Copies
6. One Spare Copy

Kj.



HIGH COURT

DATED:07/07/2021



ORDER

CRLP.No.5033 of 2021

CRL.P. IS DISPOSED OF.

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19/07
(8)