

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

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

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION NO: 5810 OF 2021

Between:

Kiran Nallapu Raju, S/o.Anji Raju, Aged 30 years, Occ: Pvt. Employee,
R/o.H.No.9-2/4/25, Ushodaya Colony, Near PMR Nagaram, K.V.Rangareddy
Telangana - 500 083.

...PETITIONER/ACCUSED

AND

1. The State of Telangana, Represented by its Public Prosecutor High Court of Telangana at Hyderabad.
2. Kum. Thakur Karishma, D/o.Doulath Singh, Aged 29 years, Occ Pvt. Employee
R/o Annapurna Hostel, Raghavendra Colony Uppal, Rachakonda District.

...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 quash the proceedings against the petitioner in F.I.R.No.621of 2021, dt.18/07/2021 on the file of Uppal Police Station, Rachakonda District, for the offences alleged U/Sec.354, 417 IPC.

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 grant stay of all further proceedings in F.I.R.No.621 of 2021, dt.18.07.2021 on the file of Uppal Police Station, Rachakonda District, pending disposal of the above criminal petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri T. Rajinikanth Reddy, Advocate for the Petitioner and the Assistant Public Prosecutor on behalf of the Respondent No.1.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION No. 5810 OF 2021

ORDER:

This Criminal Petition under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.'), is filed seeking to quash the proceedings in Cr.No.621 of 2021, pending on the file of Uppal Police Station, Rachakonda. The petitioner herein is sole accused in the said crime. The offences alleged against him are under Section 354 and 417 of IPC.

2. Heard the learned counsel for the petitioner and learned Assistant Public Prosecutor for the respondents. Perused the record.

3. In the complaint dated 18.07.2021, the 2nd respondent has specifically stated that she came into contact with the petitioner herein in the year 2016 and their relation turned into love and both got into relationship. She has narrated the entire facts. Thus, there are several factual aspects to be investigated into by the Investigating Officer during the course of investigation, including the allegations made by the 2nd respondent in the complaint dated 18.07.2021.

4. Considering the above said aspects and also the fact that the punishment for the offences alleged against the petitioner herein is seven years or below seven years, this Criminal Petition is disposed of directing the Investigating

Officer in Cr.No.621 of 2021, pending on the file of Uppal Police Station, Rachakonda, to strictly follow the mandatory procedure contemplated under Section 41-A of Cr.P.C. and also the guidelines issued by the Hon'ble Supreme Court in **Arnesh Kumar v. State of Bihar¹**. The petitioner shall cooperate with the Investigating Officer by furnishing information and documents as sought by him in concluding the investigation.

Miscellaneous Petitions, pending if any, shall stand closed.

(2014) 8 SCC 2073

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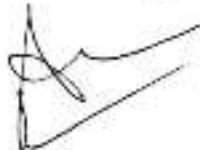
SD/- I.NAGA LAKSHMI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The III Metropolitan Magistrate Cyberabad at L.B.Nagar
2. The Station House Officer, Uppal Police Station, Rachakonda District
3. One CC to Sri T.Rajinikanth Reddy, Advocate (OPUC)
4. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
5. Two CD Copies
6. One Spare Copy

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HIGH COURT

DATED: 27/07/2021



ORDER

CRLP.No.5810 of 2021

Disposing of the CRL.P

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HMA
002/8/2021