

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
 FRIDAY, THE THIRD DAY OF DECEMBER
 TWO THOUSAND AND TWENTY ONE

:PRESENT:
THE HONOURABLE SRI JUSTICE K.LAKSHMAN
CRIMINAL PETITION NO: 9047 OF 2021

Between:

Perumalla Anil Kumar, S/o. Veera Swamy

Petitioner/Accused No.1

AND

1. State of Telangana, Through SHO, Inthegar Gunj Police Station, Warangal District Rep. By its Public Prosecutor High Court at Hyderabad for the State of Telangana
2. Guguloth Tirupathi, S/o. Mankhya occ-Business, R/o. Nandhi hills, Hanamkonda Warangal

Respondent/Defacto Complainant

WHEREAS the Petitioner above named through his Advocate Sri Ajay Kumar Madisetty presented this Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the grounds filed in the Cr.P, the High Court may be pleased to QUASH the proceedings in FIR No. 357 of 2021 on the file of SHO, Inthegar Gunj Police Station, Warangal District against the petitioner/ accused no.1;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri Ajay Kumar Madisetty Advocate for the Petitioner, Public Prosecutor for Respondent No.1 directed issue of notice to the Respondent No.2 herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz;

Guguloth Tirupathi, S/o. Mankhya occ-Business, R/o. Nandhi hills, Hanamkonda Warangal

are directed to show cause on or before 18.01.2022 to which date the case stands posted as to why in the circumstances set out in the petition and the memorandum of grounds filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted.

IA NO: 2 OF 2021

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the petition, the High Court may be pleased to STAY of all further proceedings in FIR No. 357 of 2021 on the file of SHO, Inthegar Gunj Police Station, Warangal District including the arrest of the petitioner/ accused no.1, pending disposal of CRLP No. 9047 of 2021, on the file of the High Court.

The Court made the following:

ORDER

Notice to 2nd respondent.

Personal notice is permitted.

List on 18-01-2022.

A perusal of the record would reveal that the petitioner and 2nd respondent are the partners in a Bar Business and they have entered into a business agreement dated 20-03-2020 on the specific terms and conditions. Thereafter on the compliant lodged by the petitioner herein, the Police Inthegar Gunj Police Station have registered a case in Crime

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No.358 of 2021 against the 2nd respondent herein for the offences under Sections 406, 420 and 506 of IPC and on the same day on the complaint lodged by the 2nd respondent herein the very same Police have registered the present crime for the offences under Sections 448 and 506 r/w.34 of IPC and Section 3(1)(r)(s) of SCs/STs (POA) Act. In the complaint there is suppression of fact by the 2nd respondent with regard to the said business agreement between petitioner and 2nd respondent.

In that view of the matter, the matter requires examination.

Therefore, the Investigating Officer in Crime No.357 of 2021 of Inthegar Gunj Police Station is directed not to arrest the petitioner herein. However, it is made clear that investigation may go on and the petitioner herein shall cooperate with the Investigating Officer by furnishing the information and documents as sought by him in concluding the investigation.

//TRUE COPY//

SD/- B.SATHYAVATHI
ASSISTANT REGISTRAR

Ch
SECTION OFFICER

To,

1. The I Addl. Judicial First Class Magistrate, Warangal
2. The Station House Officer, Inthegar Gunj Police Station, Warangal District
3. Guguloth Tirupathi, S/o. Mankhya occ-Business, R/o. Naridhi hills, Hanamkonda Warangal (by RPAD- along with a copy of petition and memorandum of grounds)
4. Two CCs to the Public Prosecutor, High Court for the State of Telangana, Hyderabad (OUT)
5. One CC to Sri Ajay Kumar Madisetty Advocate (OPUC)
6. One spare copy

HIGH COURT

KLJ

DATED:03/12/2021

LIST ON 18.01.2022

NOTICE BEFORE ADMISSION

CRLP.No.9047 of 2021

DIRECTION

