

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 4074 OF 2022

Between:

1. Riaz Ahmed Khan, S/o Late Vasi Ahmed Khan Aged about 47 Years, Occ. Business.- R/o. H.No. 9-8-110/2/6, Chota Bazar, Saleh Nagar, Golconda Fort, Hyderabad - 08
2. Mohammed Jahangir, S/o Shaik Ahmed Aged about 51 Years, Occ. Business., R/o. 4-25/8, Chintal Met. Wadi e Mehmood, Rajendar Nagar, Rangareddy-52
3. M. A Khaliq, S/o M. A Sadeq Aged about 39 Years, Occ. Business, R/o. H.No. 11-2-1063, Red Hills, Nampally, Hyderabad-04

...PETITIONERS/ACCUSED No.1 to 3

AND

The State of Telangana, Rep. by its Public Prosecutor High Court for the State of Telangana At Hyderabad,

...RESPONDENT/COMPLAINANT

Petition under Section 438 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 enlarge the Petitioner/ Accused No 1 to 3 on anticipatory bail as per the direction Honourable Apex Court in Armesh Kumar Vs State of Bihar in the event of his in Cr. No. 193 of 2022 , On the file of the P.S Chandrayangutta, Hyderabad District.

This Petition coming on for hearing,upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri MOHD AZHAR ,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.SURENDER**CRIMINAL PETITION No.4074 OF 2022****ORDER:**

This criminal petition is filed under Section 438 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") seeking bail to petitioners/Accused Nos.1 to 3 in the event of their arrest in connection with Crime No.193 of 2022 on the file of Station House Officer, Chandrayanagutta Police Station, Hyderabad, registered for the offences punishable under Sections 384, 420, 468, 471, 385, 448 and 506 read with Section 34 of Indian Penal Code (for short I.P.C).

2. Heard the learned counsel for the petitioners and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. Since the punishment prescribed for the offences alleged against the petitioners are upto seven years, without going into the merits of the matter, the respondent-Police are directed to follow the procedure as contemplated under Section 41-A Cr.P.C and the guidelines formulated by the Hon'ble Supreme Court in ***Arnesh***

Kumar v. State of Bihar¹scrupulously. It is needless to say, any deviation in this regard will be viewed seriously.

4. Accordingly, the Criminal Petition is disposed of.
5. Miscellaneous applications pending, if any, in this criminal petition, shall stand closed.

//TRUE COPY//

Sd/-T. SRINIVAS
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Chief Metropolitan Magistrate , Nampally at Hyderabad.
2. The Station House Officer, Chandrayangutta Police Station , Hyderabad District.
3. Two CCs to Assistant Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to SRL MOHD AZHAR Advocate [OPUC]
5. Two CD Copies

CDL
[Signature]

¹ (2014) 8 SCC 273

HIGH COURT

DATED:29/04/2022

ORDER

CRLP.No.4074 of 2022



DISPOSING OF THE CRIMINAL PETITION

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25/5/22
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