

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

THURSDAY, THE FIFTH DAY OF MAY
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 4369 OF 2022

Between:

1. Kokku Sai Kiran, S/o. Lakshmana Murthy, aged about 30 years, Occ.Private Employee, R/o. H. No.1-7-825, Shanthi Napr, Hunter Road, Hanamkonda District.
2. Kokku Janakamma, W/o Late Laxmanamurthy, aged about 60 years, Occ.Housewife, R/o Datla, Dhanthalapally, Warangal
3. Madhavi Marapally, W/o Ravi aged about 48 years , Occ. House wife, Rio Chilamcherla, Maripeda Mandal, Mahubabad District.
4. Deepika Mittapally, W/o. Praveen, aged about 35 years, Occ. House wife, R/o. Hanamkonda, Warangal District.
5. Praveen Mittapally, S/o. Sarangapani, aged about 41 years, Occ.Pvt.Employee, R/o Hanamkonda, Warangal District.

...Petitioners

AND

1. The State of Telangana, Represented by its Public Prosecutor, High Court buildings, High Court, Hyderabad.
2. Mounika Bollam, W/o. Sai Kiran, aged about 24 years, Occ.Housewife, R/o 16-3-1030/C/1, Vidyanagar, Karimabad, Khila Warangal Mandal, Warangal District.

...Respondent/Defacto 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 call for the records in Cr.No.90 of 2022 on the file of WPSI, Warangal dated.28-04-2022 registered under section 498-A, 417,506 of IPC, 3 and 4 of D.P Act, and after examination quash the same.

I.A. NO: 1 OF 2022

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 dispense with of filing certified copy of FIR in Cr No 90 of 2022 on the file of WPS 1, Warangal dated.28-04-2022 registered under section 498A, 417, 506 OF IPC, 3 and 4 OF D.P Act for the present in the interest of justice.

I.A. NO: 2 OF 2022

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 including the arrest of the petitioners Cr No. 90 of 2022 on the file of WPS1, Warangal dated.28-04-2022 registered under section 498A, 417, 506 OF IPC, 3 and 4 OF D.P Act to prevent abuse of process of Law and securing ends of justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri RAJESHWAR RAO GARIGE, Advocate for the Petitioners and the Assistant Public Prosecutor on behalf of the Respondent No.1 and of the Respondent No.2 not appearing in person or by Advocate.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.4369 OF 2022****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 Crime No.90 of 2022, pending on the file of WPS-1, Warangal District. The petitioners herein are accused Nos.1 to 5 in the said crime. The offences alleged against them are under Sections 498-A, 417 and 506 of Indian Penal Code and Section 3 and 4 of Dowry Prohibition Act.

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

3. Learned Assistant Public Prosecutor submits that the case is under investigation.

4. Since the punishment prescribed for the offences alleged against petitioners are under seven years, without going into the merits of the matter, the respondent-Police are directed to carry out

the investigation by following 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 Bihar** scrupulously. It is needless to say, any deviation in this regard will be viewed seriously.

5. Accordingly, the Criminal Petition is disposed of.

6. Miscellaneous applications pending, if any, in this criminal petition, shall stand closed.

SD/-T.TIRUMALA DEVI
ASSISTANT REGISTRAR

SECTION OFFICER

//TRUE COPY//

I(2014) 8 SCC 275

To,

1. The V Additional Judicial First Class Magistrate, at Warangal.
2. The Station House Officer, Police Station WPS1, Warangal District.
3. Two CCs to the Assistant Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to SRI. RAJESHWAR RAO GARIGE, Advocate [OPUC]
5. Two CD Copies
6. One Spare Copy

MMK

SB

[Signature]

HIGH COURT

DATED:05/05/2022

ORDER

CRLP.No.4369 of 2022



DISPOSING OF THE CRIMINAL PETITION

mac
6-5-22