

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

FRIDAY, THE FIRST DAY OF JULY
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 5403 OF 2022

Between:

1. Nayeem Khan, S/o. Ameer Khan, Aged about 53 years, Occ. Real Estate Business, R/o. H. No. 8-7-36/1, Old Tandur, Vikarabad District.
2. Syed Khalid Ali, S/o. Syed Vazeer Ali, Age.34 years, Occ. Business, R/o. H. No. 1-5-167, Indranagar, Tandur, Vikarabad District.
3. Mahaboob Khureshi, S/o. Late. Md. Umar Qureshi, Age. 60 years, Occ.Business, R/o. H. No. 5-7-95/1, Pasari Ward. Tandur, Vikarabad District.

...Petitioners/Accused No.1 to 3

AND

The State of Telangana, Through Public Prosecutor, High Court of Telangana, at Hyderabad.

...RESPONDENT/COMPLAINANTS

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 Petitioners/ Accused No.1 to 3 on bail in Crime Number 120 of 2022 of Police Station Tandur, in the event of their arrest by the Police P.S. Tandur, on any terms and conditions as this Hon'ble Court deems fit and proper in the circumstances of the case and in the interest of Justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri H. Sudhakar Rao, Advocate for the Petitioners and the Assistant Public Prosecutor on behalf of the Respondent.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.5403 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking pre-arrest bail to the petitioners, who are arrayed as Accused Nos.1 to 3 in the event of their arrest in Crime No.120 of 2022 on the file of Station House Officer, Tandur Town Police Station, Vikarabad District registered for the offences punishable under Sections 353, 447 and 506 read with Section 34 of Indian Penal Code.

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 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**¹ scrupulously.

It is needless to say, any deviation in this regard will be viewed seriously.

4. Accordingly, the Criminal Petition is disposed off.

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

//TRUE COPY//

SD/-K.SAILESHI
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The Principal Sessions Judge, Vikarabad District.
2. The Station House Officer, Tandur Town Police Station, Vikarabad District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri H. Sudhakara Rao, Advocate [OPUC]
5. Two CD Copies
6. One Spare Copy

MMK
BS

¹ (2014) 8 SOC 273

HIGH COURT

DATED:01/07/2022

ORDER

CRLP.No.5403 of 2022



DISPOSING OF THE CRIMINAL PETITION

③
PM
16/8