

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

**MONDAY, THE TWENTY FIFTH DAY OF JULY
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 6322 OF 2022

Between:

Sri Mohammed Anwar Lohar, S/o. Mohammed Saleem Lohar, Age. 45 years, Occ. Business, R/o.H.no.19-4-391/A, Bahadurpura, Kishan Bagh Road, Bahadurpur, Hyderabad,Telangana,Pin.500064.

...PETITIONER/ACCUSED No.2

AND

The State of Telangana, Rep by Public Prosecutor, High court of Judicature at Hyderabad Through the Station House Officer, P.S. Shamshabad, R.R. District, TS.

...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.2, on anticipatory bail in connection as with Crime no .226 OF 2022, the alleged offence Under Section. 379 of IPC P.S Shamshabad Cyberabad Ranga Reddy District. During the pendency of inquiry and trial.

This Petition coming on for hearing,upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Vaddi Srinivasa Rao, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.6322 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking pre-arrest bail to the petitioner, who is arrayed as Accused No.2 in the event of his arrest in Crime No.226 of 2022 on the file of Station House Officer, Shamshabad Police Station, Cyberabad Commissionerate registered for the offence punishable under Section 379 of Indian penal Code.

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

3. Since the punishment prescribed for the offence alleged against the petitioner is 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.

¹ (2014) 8 SCC 273

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/-B.SATYAVATHI
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The XIV Additional Metropolitan Magistrate, Cyberabad at Rajendranagar T.S
2. The Station House Officer, Shamshabad Police Station, R.R. District, TS.
3. One CC to Sri Vaddi Srinivasa Rao ,Advocate (OPUC)
4. Two CCs to Public Prosecutor, High Court for the State of Telangana
Hyderabad (OUT)
5. Two CD Copies
6. One Spare Copy

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HIGH COURT

DATED:25/07/2022

ORDER

CRLP.No.6322 of 2022



Disposing of the CRL.P

⑧ VLV
12/9/22