

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

**TUESDAY ,THE TWENTY THIRD DAY OF AUGUST
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 7245 OF 2022

Between:

1. Gopathi Srinivas S/o G.Chinnaiah occ. Employee Dandepalli ,Macherial dist.
2. Gopathi Ravinder, s/o G.Chiannaiah aged 42,occ Govt Employee,
3. Gopathi Satyavathi, w/o G.Ravinder aged 38 occ house wife, Petitioner 2 and 3 R/o H.No. 19-427/3 ramnagar, Mancherial.

...PETITIONERS/ACCUSED

AND

The State of Telangana, Through the SHO,Uppla Police Station
represented By its Public Prosecutor High Court At Hyderabad

...RESPONDENT

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 direct the Station house officer ,Uppal Police Station to release the petitioners on bail in the event of their arrest in connection with unnumbered crime / FIR.

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

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO. 7245 OF 2022

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. seeking pre-arrest bail to the petitioners/accused, in the event of their arrest in connection with an unnumbered crime on the file of the Uppal Police Station, Hyderabad.

2. Heard the learned Counsel for the petitioners and learned Assistant Public Prosecutor for the respondent-State.

3. The petitioners approached this Court on the apprehension that they may be arrested on the ground of the wife of the 1st petitioner filing a complaint before the Uppal Police. According to the petitioners Uppal police called these petitioners to the police station on 09.08.2022 and asked them to settle the issues. The petitioners state that there are no disputes and that since the wife of 1st petitioner left his company, the 1st petitioner addressed a letter on 04.08.2022 asking his wife to return and lead marital life.

4. For the above mentioned reasons regarding the disputes between the spouses, the petitioners apprehend that a complaint would be filed with the police and that they may take action against these petitioners.

5. In the aforesaid circumstances, 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 Bihar***¹ scrupulously, in the event of any complaint being lodged against these petitioners for offences punishable less than seven years.

6. Accordingly, the Criminal Petition is disposed off.

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

//TRUE COPY//

Sd/- K.AMAJI
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Station House Officer, Uppla Police Station.
2. One CC to Sri. Pochaiah dorishetti Advocate [OPUC]
3. One CC to the Public Prosecutor, High Court for the State of Telangana at Hyderabad [OPUC]
4. Two CD Copies.

HVJ

¹ (2014) 8 SCC 273

HIGH COURT

KSJ

DATED:23/08/2022



ORDER

CRLP.No.7245 of 2022

CRL.P is Disposed off.

7
29/11/22
HJH