

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

THURSDAY, THE FIFTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 11216 OF 2022

Between:

N. Pandu Ranga Rao, S/o Late N.V.Kutumba Rao Aged 58 years, Occ. Advocate
R/o H.No. 2-3-18/50/B, Tulasinagar colony, Golnaka, Amberpet, Hyderabad Pin .
500013

...Petitioner/Accused No.3

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court Bldgs,
Hyderabad.
2. Dr.Anshu Yadav, D/o Attar Singh Yadav Age 39 yeears, Occ . Presenting
officer of CCM/Claims Secunderabad R/o Rail Nilayam, Secunderabad,
Telangana

...RESPONDENT No.2 /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 relating to proceedings in FIR No. 221 of 2022 on the file of P.S. Tukaramgate under Section 419, 420, r/w. 511 of and quash the same as illegal.

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 the further proceedings in FIR.No. 221 of 2022 on the file of P.S. Tukaramgate under Section 419, 420, r/w. 511 of IPC.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri GEETHA MADHURI, Advocate for the Petitioner and of the Additional Public Prosecutor for the State of Telangana on behalf of the Respondent No.1 and None Appeared for the Respondent No.2

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.11216 OF 2022****ORDER:**

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioner-Accused No.3 to quash the proceedings against him in FIR No.221 of 2022 pending on the file of Station House Officer, Tukaramgate Police Station, Hyderabad. The offences alleged against him are under Sections 419 and 420 read with Section 511 of Indian Penal Code (for short "IPC").

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent – State. Perused the Record.

3. Since the offences alleged against the petitioner – Accused No.3 are punishable less than seven (07) years, this Court deems it appropriate to direct the Investigating Officer in FIR No.221 of 2022 pending on the file of Station House Officer, Tukaramgate Police Station, Hyderabad, to strictly follow the procedure laid down under Section 41-A of Cr.P.C. and also the guidelines issued

by the Hon'ble Supreme Court in ***Arnesh Kumar v. State of Bihar***¹. The petitioner shall co-operate with the Investigating Officer by furnishing information and documents as sought by him in concluding the investigation. Needless to say the Investigating Officer shall not call the petitioner to the police station unnecessarily under the pretext of investigation, unless required.

4. Accordingly, the Criminal Petition is disposed off.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- K. SHYLESHI
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The XXII Additional Chief Metropolitan Magistrate at Secunderabad.
2. The Station House Officer, Tukaramgate Police Station, Hyderabad.
3. Two CCs to the Public Prosecutor for the state of Telangana at Hyderabad (OUT)
4. One CC to SRI. GEETHA MADHURI, Advocate [OPUC]
5. Two CD Copies

VH 

¹ (2014) 8 SCC 273

HIGH COURT

KS, J

DATED: 15/12/2022

ORDER

CRLP.No.11216 of 2022



DISPOSING OF THE CRIMINAL PETITION

8 copies
18-
7/1/23