

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

**THURSDAY, THE TWENTY SECOND DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 11540 OF 2022

Between:

Kesaboyina Apparao, S/o. Kesaboyina Appanna, Aged about 57 years, Occ: Transport Manager at NASR School, R/o.H.No.1-5-239/1/1, Sree Nagar Colony, Old Alwal, Secunderabad. 500010.

...Petitioner/Sole Accused

AND

1. The State of Telangana, Through Public Prosecutor, Honorable High Court of Telangana.

Respondent No.1/Complainant

2. E. Rama Krishna, S/o. E. Saidulu, Aged about 45 years, Occ: Pvt.Employee, H.No.8-2-626/B/30/7, Banjara Hills, Road No.12, Hyderabad.

...Respondent No.2/De-facto 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 quash the Proceedings against the Petitioner/ Sole Accused in Crime No. 475 of 2022 of P.S. Saifabad, Hyderabad in the interest of Justice.

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 stay of all further proceedings against the Petitioner/ Sole Accused in Crime No. 475 of 2022 of PS Saifabad, Hyderabad 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 GANTA RAMAKRISHNA, Advocate for the Petitioner and the Assistant Public Prosecutor 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.11540 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 to quash the proceedings against him in FIR No.475 of 2022 pending on the file of Station House Officer, Saifabad Police Station, Hyderabad. The offences alleged against him are under Sections 3(1)(r)(s) of SC/ST POA Act, 2015.

2. Heard both sides.
3. After arguing sometime, learned counsel for the petitioner confines his prayer to direct the police to follow the procedure prescribed under Section 41-A of Cr.P.C. for reason of the offences alleged against the petitioner are punishable less than seven (07) years.
4. In view of the aforesaid submission of the learned counsel for the petitioner, this Criminal Petition is closed directing the Investigating Officer in FIR No.475 of 2022 pending on the file of Station House Officer, Saifabad 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.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

SD/- T.JAYASREE
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The I Additional Chief Metropolitan Magistrate at Nampally, Hyderabad.
2. The Station House Officer, P. S. Saifabad, Hyderabad.
3. One CC to Sri Ganta Ramakrishna, Advocate [OPUC]
4. Two CCs to The Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
5. Two CD Copies
PSR

B&R

¹ (2014) 8 SCC 273

HIGH COURT

DATED:22/12/2022

ORDER

CRLP.No.11540 of 2022



THE CRIMINAL PETITION IS CLOSED.

8
10/01/23
BSR