

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE TENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 271 OF 2023

Between:

G.Manoj Kumar alias Manoj alias Rajendra Arasu, S/o. Gurunath, Aged about 51 years, Occ. Business, R/o.Flat No.7, 5th Cross, Sir M.V.Nagar, Ramamurthy Nagar, Dooravani Nagar, Bangalore, Karnataka State.

...PETITIONER/ACCUSED No.3

AND

1. The State of Telangana, Through Station House Officer, Jawaharnagar Police Station, Rachakonda Commissionerate, Rep by its Public Prosecutor, High Court at Hyderabad

...COMPLAINANT

2. Pinjala Nagaramaneswar, S/o.Jothilingam, Occ. Business, Aged about 51 years, R/o.A211, A-Block, Patels Green Front, Maher Road, Yapral, Secunderabad.

...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 FIR No.1055/2022 on the file of the Jawaharnagar Police Station, Rachakonda Commissionerate

I.A. NO: 2 OF 2023

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 grant stay all further proceedings in FIR No.1055/2022 on the file of the Jawaharnagar Police Station, Rachakonda Commissionerate

This Petition coming on for hearing. upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri P.NAGENDRA REDDY, Advocate for the Petitioner and 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.271 OF 2023

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 Crime No.1055 of 2022 pending on the file of Station House Officer, Jawaharnagar Police Station, Rachakonda. The offences alleged against him are under Sections 406, 420 of IPC.

2. Heard both sides.
 3. After arguing for some time, 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 disposed off directing the Investigating Officer in Crime No.1055 of 2022 pending on the file of Station House Officer, Jawaharnagar Police Station, Rachakonda, 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/- N.SRIHARI
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Junior Civil Judge-cum-X Additional Metropolitan Magistrate, Medchal Malkajgiri District at Medchal
2. The S.H.O Jawaharnagar P.S, Rachakonda
3. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT]
4. One CC to SRI P.NAGENDRA REDDY Advocate [OPUC]
5. Two CD Copies

KKS

BSR

¹ (2014) 8 SCC 273

HIGH COURT

DATED:10/01/2023

ORDER

CRLP.No.271 of 2023



DISPOSING THE CRLP

8
02/02/23
BSR