

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

**MONDAY, THE TWENTY THIRD DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 632 OF 2023

Between:

1. Boddupally Prashanthi, W/o. Narahari, aged about 35 years, Occ. Private Employee, R/o. Mannanur Village, Amrabad Mandal, Nagarkurnool District.
2. B.Narahari, S/o. Raja. Lingam, aged about 40 years, Occ. Private Employee, R/o. Mannanur Village, Amrabad Mandal, Nagarkurnool District.
3. Thirupathaiah, S/o. Raja Lingam, aged about 50 years, Occ. Agriculture, R/o. Mannanur Village, Amrabad Mandal, Nagarkurnool District.
4. B.Parneshwar, S/o. Thirupathaiah, aged about 24 years, Occ. Carpenter, R/o. Mannanur Village, Amrabad Mandal, Nagarkurnool District.

...PETITIONERS/ ACCUSED 1 TO 4

AND

1. The State of Telangana, Through P.S. Amrabad, Nagarkurnool District, Rep. by Public Prosecutor, High Court for the State of Telangana, Hyderabad.
2. Nenavath Sriram, S/o. Hanmanthu, aged about 38 years, Occ. Sarpanch, R/o. Mannanur Village, Amrabad Mandal, Nagarkurnool District.

...RESPONDENTS/ 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 in Crime No.4 of 2023, dated 12.01.2023 on the file of P.S. Amrabad, Nagarkurnool District.

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 stay all further proceedings in Crime No.4 of 2023, dated 12.01.2023

on the file of P.S. Amrabad, Nagarkurnool District, including arrest of the Petitioners, pending disposal of the above criminal petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri RAPOLU BHASKAR, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No.1 and NA for the Respondent No.2

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.632 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 petitioners-Accused Nos.1 to 4 to quash the proceedings against them in FIR No.4 of 2023 pending on the file of Station House Officer, Amrabad Police Station, Nagarkurnool District. The offences alleged against them are under Sections 323, 447 and 506 of Indian Penal Code (for short 'IPC') and Sections 3(1)(r)(s) and 3(1)(v) of SC/ST (POA) Act, 2015.

2. Heard both sides.
3. After arguing sometime, learned counsel for the petitioners confines his prayer to direct the police to follow the procedure prescribed under Section 41-A of Cr.P.C. for the reason of the offences alleged against the petitioners are punishable less than seven (07) years.
4. In view of the aforesaid submission of the learned counsel for the petitioners, this Criminal Petition is disposed of directing

the Investigating Officer in respect of FIR No.4 of 2023 pending on the file of Station House Officer, Amrabad Police Station, Nagarkurnool District, 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. Further, the petitioners 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/- K. AMMAJI
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. Judicial Magistrate of First Class at Achampet.
2. SHO., Amrabad P.S., Nagarkurnool Dist.
3. One CC to SRI. RAPOLU BHASKAR Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT]
5. Two CD Copies
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BSR

¹ (2014) 8 SCC 273

HIGH COURT

DATED:23/01/2023



ORDER

CRL.P.No.632 of 2023

DISPOSING OF THE CRLP

8
21/02/23
BSR