

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

MONDAY, THE THIRTIETH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 900 OF 2023

Between:

Smt.Prameela @ Suvarna, W/o. Shoban Babu, aged 50 years, Occ. House Wife, R/o.Flat No.502, Shivas Bhavani Apartment, Raghavendra Colony, Kondapoor, Hyderabad.

...PETITIONER/ ACCUSED No.2

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court of Telangana, Hyderabad.
2. Smt. Kodapal Sathemma, W/o. K. Narayana, aged 57 years, Occ. Vendor, R/o.H.No.6-8, Madhapoor Village, Makloor Mandal, Nizamabad District, T.S

...RESPONDENTS

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 criminal proceedings against the Petitioner/Accused No.2 in Crime No.2 of 2023, on file of the P.S, Makloor, Nizamabad District, under section 420 and 34 of IPC in the interest of justice.

I.A. NO: 1 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 of all further proceedings including arrest of the Petitioner/Accused No.2 in Crime No. 2 of 2023 on file of the P.S., Makloor, Nizamabad District, under section 420 and 34 of IPC, pending disposal of the main Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri NANCHARLA MURALI, Advocate for the Petitioner and the Assistant 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.900 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.2 to quash the proceedings against him in F.I.R.No.9 of 2023 pending on the file of IV-Town Police Station, Nizamabad. The offences alleged against the petitioner is under Sections 420 r/w 34 of Indian Penal Code (for short "IPC").

2. Heard the learned counsel for the petitioner/Accused No.2 and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. Since the punishment prescribed for the offence alleged against the petitioner is below seven years, the respondent-Police are directed to carry out the investigation by following the procedure as contemplated under Section 41-A Cr.P.C and the guidelines formulated by the Hon'ble Supreme Court in case of **Arnesh Kumar v. State of Bihar**¹ scrupulously and also directed not to arrest the

¹ (2014) 8 SCC 273

petitioner till completion of investigation. It is needless to say, any deviation in this regard will be viewed seriously.

4. Accordingly, the Criminal Petition is disposed off.

Miscellaneous applications pending, if any, shall stand closed.

SD/- P. PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SD
SECTION OFFICER

To,

1. The II Addl. Judicial First Class Magistrate, Nizambad.
2. SHO., Makloor PS., Nizambad.
3. One CC to SRI. NANCHARLA MURALI, 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

HIGH COURT

DATED:30/01/2023



ORDER

CRL.P.No.900 of 2023

**DISPOSING OF THE CRLP
WITHOUT COSTS**

8
15/02/23
BSR