

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

TUESDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 984 OF 2023

Between:

1. Yatakaru Rajashekar, S/o Y.Sathaiah, Age 34 Years, Occ.Agriculture, R/o H.no.1-32/2, Chinna Gudipeta Village, Mandal.Bheemini, Dist. Mancheria
2. Lachaiah Manepalli, S/o M.Bondaiah, Age 58 Years, Occ.Agriculture, R/o H.no.1-67, Jangalpet Village, Mandal. Nennal, Dist. Mancheria
3. Sidam Shanker, S/o Sidam Posham, Age 42 Years, Occ. Agriculture, R/o H.no.1-83, Manneguda village, Mandal. Nennal, Dist.Mancheria.
4. Debbati Sridhar, S/o. D.Chandraiah, Age 24 Years, Occ. Agriculture, R/o H.no.1-6,Peddagudipet village, Mandal. Bheemini, Dist. Mancheria

...PETITIONERS/ ACCUSED No.1 to 4

AND

1. The State of Telangana, Rep by the Public Prosecutor, High Court of Judicature at Hyderabad.

...1st RESPONDENT/STATE

2. Bheemaiah Manepalli, S/o Lachaiah, Age 50 years, Occ.Agriculture, R/o.Somanpalli Village, Mandal Anthargaon Dist.Peddapally.

...2ND RESPONDENT/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 the Cr.No.3 of 2023 on the file of Bheemini Police Station and to quash the same.

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 of all further proceedings in Cr.No.3 of 2023 on the file of Bheemini Police Station pending disposal of the Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri RUDRESH DESHPANDE, Advocate for the Petitioners 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.984 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.03 of 2023 on the file of Station House Officer, Bheemini Police Station, Ramagundam District. The offences alleged against the petitioners are under Sections 419, 420, 465, 468 and 471 read with Section 34 of Indian Penal Code (for short "IPC")

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent No.1 – State.

3. On perusal of the record, since the punishment prescribed for the offences alleged against the petitioners are up to seven years, this Court deems it appropriate to direct the Investigating Officer in FIR No.03 of 2023 on the file of Station House Officer, Bheemini Police Station, Ramagundam District, to follow the procedure laid down under Section 41-A Cr.P.C and also the

guidelines formulated by the Hon'ble Supreme Court in **Arnesh Kumar v. State of Bihar**¹ scrupulously. The petitioners shall co-operate with the Investigating Officer in concluding the investigation.

4. Accordingly, the Criminal Petition is disposed off.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

SD/- G. SIREESHA
ASSISTANT REGISTRAR
9/5
SECTION OFFICER

To,

1. The Judicial Magistrate of First Class at Bellampally.
2. SHO., Bheemini P.S., Mancherial Dist.
3. One CC to SRI. RUDRESH DESHPANDE, 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:31/01/2023



ORDER

CRL.P.No.984 of 2023

**DISPOSING OF THE CRLP
WITHOUT COSTS**

8
16/02/23
BSR