

HIGH COURT FOR THE STATE OF TELANGANA

FRIDAY, THE THIRD DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 1129 OF 2023

Between:

Kottha Swamy Reddy, S/o late Veera Reddy @ Veeraiah, Occ. farmer, Aged about 55 years, R/o Gudatipally village, Akkannapet Mandal, Siddipet District, Telangana

...PETITIONER/SoleACCUSED

AND

1. State of Telangana, through Police Akkannapet, Siddipet Dist. Through Public Prosecutor High Court Hyderabad
2. Jakka Swapna W/o. Mohan Reddy, aged about 36 years, Occ: Housewife, R/o. Tekula Ramaram, Valigonda Mandal, Yadadri Bhuvanagiri District.

...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 quash the Cr No. 7 of 2023 on the file of police station Akkannapet, Siddipet District for the offences registered U/s 290, 420 506 of IPC.

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 dispense copy in Cr No. 7 of 2023 on the file of police station Akkannapet, Siddipet 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 against the petitioner herein in Cr No. 7 of 2023 on the file of police station Akkannapet, Siddipet District for the offences registered U/s 290, 420 506 of IPC including arrest of the petitioner.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri E RAMESH CHANDRA GOUD, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No.1 and of None appeared for the Respondent No.2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.1129 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 to quash the proceedings against him in FIR No.7 of 2023 pending on the file of Station House Officer, Akkannapet Police Station, Siddipet District. The offences alleged against him are under Sections 290, 420 and 506 of Indian Penal Code (for short 'IPC').

2. Heard both sides.
3. After arguing sometime, learned counsel for the petitioner confined 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 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 of directing

the Investigating Officer in respect of FIR No.7 of 2023 pending on the file of Station House Officer, Akkannapet Police Station, Siddipet 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**. 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/- C. PRAVEEN KUMAR
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Station House Officer, Akkannapet Police Station, Siddipet District.
2. Two CC to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
3. One CC to Sri. E.Ramesh Chandra Goud , Advocate [OPUC]
4. Two CD Copies

BJLB

NJB

HIGH COURT

KS, J

DATED:03/02/2023

ORDER

CRLP.No.1129 of 2023



CRIMINAL PETITION IS DISPOSED OF

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pn
20/2/23