

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

**WEDNESDAY, THE TWENTY SECOND DAY OF FEBRUARY  
TWO THOUSAND AND TWENTY THREE**

**PRESENT**

**THE HONOURABLE SRI JUSTICE K.SURENDER**

**CRIMINAL PETITION NO: 1838 OF 2023**

**Between:**

1. Miss.Neela Bhindu Pavani, D/o.Neela Satyanarayana, Aged about 21 years, Occ. Student, R/o.H.No.1-12/4/18/1/3/1, Flat No.401, Keshava Heights, Ramurthy Nagar, Kodad Town and Mandal, Suryapet District.
2. Neela Satyanarayana, S/o.Bixmaiah, Aged about 51 years, Occ. Business, R/o.H.No.1-12/4/18/1/3/1, Flat No.401, Keshava Heights, Ramurthy Nagar, Kodad Town and Mandal, Suryapet District.
3. Garine Sheshagiri Rao, S/o.Kondaiah, Aged about 52 years, Occ. Business, R/o.H.No.4-77, Pata Chilukuru, Chilukuru Mandal, Suryapet District.

**...PETITIONERS/ACCUSED NO.1 to 3**

**AND**

1. The State of Telangana, Through Station House Officer, Kodad Town Police Station, Suryapet District, Rep. by its Public Prosecutor, High Court of Telangana, At Hyderabad.

**...RESPONDENT/COMPLAINANT**

2. Kasani Venkateswarlu, S/ o.Chinna Kondaiah, Aged about 43 years, Occ: Agriculture, R/ o. H.No. 1-3, Kapugallu Village, Kodad Mandal, Suryapet District.

**...RESPONDENT/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 the proceedings in FIR.No. 176/2022 on the file of the Kodad Town Police Station, Suryapet District.

**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 the arrest of the Petitioners in FIR.No.176/2022 on the file of the Kodad Town Police Station, Suryapet District pending disposal of the above CrI.P. in the interest of Justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri LATTUPALLY ANAND, Advocate for the Petitioner and of the Additional Public Prosecutor 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.1838 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 3 to quash the proceedings against them in FIR No.176 of 2022 pending on the file of Station House Officer, Kodad Town Police Station, Suryapet. The offences alleged against the petitioners are under Sections 24, 107, 108, 350, 351, 358, 420, 425, 427, 503, 509, 120(a)(b) read with 34 of the Indian Penal Code, 1860 (for short "IPC"), Section 156(3) Cr.P.C.

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

3. The 2<sup>nd</sup> respondent – *de facto* complainant filed a complaint stating that the petitioners/accused herein have received money towards sale of property. However, they are not registered the property nor the amount being returned. Since the transaction appears to be predominantly civil in nature, this Court

deems it appropriate to direct the Investigating Officer in respect of FIR No.176 of 2022 pending on the file of Station House Officer, Kodad Town Police Station, Suryapet District, to conclude the investigation without taking any coercive steps against the petitioners – accused Nos.1 to 3, by strictly following the procedure laid down under Section 41A of Cr.P.C., and also the guidelines issued by the Hon'ble Apex Supreme Court in **Arnesh Kumar v. State of Bihar**<sup>1</sup>. The petitioners shall co-operate with the Investigating Officer by furnishing information and documents as sought by him in concluding the investigation.

4. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications pending, if any, shall stand closed.

1 (2014) 8 SCC 273

//TRUE COPY//

Sd/-K.AMMAJI  
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Judicial First Class Magistrate at Kodad.
2. The Station House Officer, Kodad Town Police Station, Suryapet District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. (OUT)
4. One CC to Sri Lattupally Anand, Advocate [OPUC]
5. Two CD Copies.

Njb

VH

HIGH COURT

DATED: 22/02/2023



ORDER

CRLP.No.1838 of 2023

DISPOSING OF THE  
CRIMINAL PETITION.

⑧ VW  
9/3/23