

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

**MONDAY, THE TWENTY SEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO. 1950 OF 2023

Between:

G. Sasi Kumar Naidu, S/o. G. Narasimha Naidu, Age 47 years, Occ. Business, R/o. F7-D Block, Himagiri Green Forest Apartments, 5th Phase, Silver Oak Street, J. P. Nagar, VTC Bengaluru South, Bengaluru, Karnataka 560078.

...PETITIONER/ACCUSED No.1

AND

1. The State of Telangana, Represented by its Public Prosecutor, High Court for the State of Telangana, At Hyderabad.

...RESPONDENT NO.1/RESPONDENT

2. Sudharani Gadela, W/o. Late Rathna Prabhakar Reddy, Age 36 years, Occ. Housewife, R/o. H. No. 11-12, Christianpally, Mahabubnagar Urban Mandal, Mahabubnagar District.

...RESPONDENT No.2/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. 68 of 2023 dated 07-02-2023 on the file of P.S. Mahabubnagar Rural, Mahabubnagar 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 grant stay of all further proceedings, including arrest of the Petitioner/Accused No. 1, in Crime No. 68 of 2023 dated 07-02-2023 on the file of P.S. Mahabubnagar Rural, Mahabubnagar District, pending disposal of the main quash proceedings

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Surya Balu Mahendra, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No. and None Appeared for the Respondent No.2

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.1950 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.1 to quash the proceedings against him in FIR No.68 of 2023 pending on the file of Station House Officer, Mahabubnagar Rural Police Station, Mahabubnagar District. The offence alleged against the petitioner is punishable under Section 420 of Indian Penal Code.

2. Heard learned counsel for the petitioner 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 petitioner are up to seven years, this Court deems it appropriate to direct the Investigating Officer in FIR No.68 of 2023 pending on the file of Station House Officer, Mahabubnagar Rural Police Station, Mahabubnagar 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** scrupulously. The petitioner 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/- P. GOWRI SHANKAR
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The IV Additional Judicial Magistrate of First Class at Mahabubnagar
2. The Station House Officer, Mahabubnagar Rural Police Station, Mahabubnagar District
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad[OUT]
4. One CC to Sri Surya Balu Mahendra, Advocate [OPUC]
5. Two CD Copies

plp



HIGH COURT

DATED:27/02/2023



ORDER

CRLP.No.1950 of 2023

DISPOSING OF THE CRIMINAL PETITION.

Handwritten signature and date: 06/03/2023