

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

FRIDAY, THE SEVENTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HON'BLE SRI JUSTICE E. V. VENUGOPAL

CRIMINAL PETITION NO: 11280 OF 2015

Between:

1. S.Parvathamma (A-1), wife of S.Gaal Reddy, aged about 72 years, Occupation Household, Resident of Hous No. 1-90/1, Bakaram Jagir, Moinabad Mandal, Ranga Reddy District, State of Telangana
2. Smt.M.Bhagyamma(A-2), wife of M.Boji Reddy, daughter of S.Gall Reddy, aged about 51 years, Occupation Housewife, Resident of H.No. 1-50, Kasim Bowli, Amdapur, Moinabad, K.V.Vikarabad, Ranga Reddy District, State of Telangana
3. Smt.K.Suganamma (A-3), wife of Ananth Reddy, daughter of S.Gaal Reddy, aged about 47 years, Occupation Housewife, Resident of Gopalgada Village, Shabad Mandal, Vikarabad, Ranga Reddy District, State of Telangana
4. Smt.Sadala Sakku Bai (A-4), wife of Sadala Venkat Reddy, daughter of S.Gaal Reddy, aged about 44 years, Occupation Housewife, Resident of H.No. 61-104, Shivarampally, Nethaji Youth Club, Rajendranagar Mandal, Vikarabad, R.R. District, State of Telangana.
5. Sama Srinivas Reddy (A-5), son of Sama Gall Reddy, aged about 40 years, Occupation Business, Resident of H.No.1-91/ 2, Bakaram Jagir Moinabad Mandal, Vikarabad, R.R.District
6. Smt.Radha (A-7), wife of Sukka Reddy, aged about 48 years, Occupation Housewife, Resident of Shad Nagar, Mahaboobnagar District. State of Telangana.

...PETITIONER/ACCUSED 1 TO 5 & 7

AND

1. The State Of Telangana, Represented by its Public Prosecutor, High Court at Hyderabad through Station House Officer, Moinabad Police Station, Cyberabad.

....RESPONDENT

2. Sama Prabhakar Reddy, son of S.Gal Reddy, aged about 45 years, Occupation Agriculture, H.No. 191, Bakaram Jagir and Village, Moinabad Mandal, Ranga Reddy 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 registration of Crime vide FIR.No.258/ 2015 dt. 20.07.2015 by the Moinabad Police Station, Ranga Reddy District against all the petitioners herein on the ground of abuse of process of law and consequently set aside the complaint of the 2nd respondent dt. 09.07.2015

I.A. NO: 2 OF 2015(CRLPMP. NO: 11372 OF 2015)

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 of investigation of FIR (Crime) No.258/2015 of Moiabab Police Station, Ranga Reddy District including the arrest of the petitioners / Accused Nos. 1 to 5 & Accused No.7 pending the quash petitioner

This Petition coming on for hearing,upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri V Surendra Reddy, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No. 1 and of Sri K. Jagadishwar Reddy, Advocate for the Respondent No. 2

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE E. V. VENUGOPAL**CRIMINAL PETITION No.11280 OF 2015****ORDER:**

This criminal petition is filed by the petitioners/accused No.1 to 5 and 7 seeking to quash the registration of Crime vide FIR No.258 of 2015 dated 20.07.2015 by the Moinabad Police Station, Ranga Reddy District against the petitioners herein on the ground of abuse of process of law and consequently to set aside the complaint of the 2nd respondent dated 09.07.2015.

2. There is no representation on behalf of petitioner on 3.11.2023 and 10.11.2023 and even today when the matter is listed under the caption 'for dismissal'.

3. Learned counsel for the unofficial respondent is present.

4. Mr. Vizarath Ali, Learned Assistant Public Prosecutor is present and would submit that unless and until investigation in the crime is conducted truth cannot be elicited and further submits that the sentence imposed to the alleged offences is below 7 years and hence seeks to dismiss the criminal petition.

5. Having regard to the submissions, this Court is of the view that unless and until investigation is allowed to be continued

truth cannot be elicited. The alleged offences are punishable with less than seven years. In the said circumstances, since the punishment prescribed for the offences alleged against the petitioners under section 420, 465, 468, 471, 448, 427, 506 of IPC are less than seven years, without going into merits of the matter, the respondent-Police are directed to strictly follow the procedure as contemplated under Section 41-A of Cr.P.C. and the guidelines formulated by the Hon'ble Supreme Court in **Arnesh Kumar v. State of Bihar**¹ scrupulously and to complete the investigation as expeditiously as possible, since the matter is pending from long time, preferably within three (3) months from the date of receipt of the order of this Court. It is needless to say that, any deviation in this regard will be viewed seriously. The petitioners are also directed to cooperate and assist with the investigation.

6. Accordingly, the criminal petition is disposed of. No costs
Miscellaneous Petitions, pending if any, shall stand closed.

¹(2014) 8 SCC 273

//TRUE COPY//

SD/- T. JAYASREE
ASSISTANT REGISTRAR

SECTION OFFICER

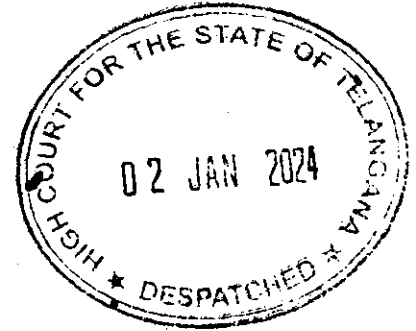
To,

1. The Station House Officer, Moinabad Police Station, Cyberabad.
2. One CC to Sri V Surendra Reddy Advocate [OPUC]
3. One CC to Sri K Jagadishwar Reddy Advocate [OPUC]
4. Two CCs to the Public Prosecutor, High Court for the State of Telangana.
[OUT]
5. Two CD Copies

MBC
GJP
Pna

HIGH COURT

DATED: 17/11/2023



ORDER

CRLP.No.11280 of 2015

DISPOSING OF THE CRIMINAL PETITION

WITHOUT COSTS

(8) pme
23/12/23