

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

FRIDAY, THE TENTH DAY OF MARCH
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 2430 OF 2023

Between:

K. Venkat Reddy, S/o. Anjalaiah, Aged about 49 years, Occ. Agriculture. R/o. 6-42, Sangaipally, Kudurumalla, Doulthabad Mandal, Mahabubnagar - 509350

...PETITIONER/ACCUSED

AND

1. The State of Telangana, Through S.H.O., P.S. Chengomul, Vikarabad District, Rep. by its Public Prosecutor, High Court at Hyderabad.
2. Brahmaramba Puttanguta, W/o. Sampath Kumar, Aged about 78 years, Occ. Retired Employee. R/o. 1-47, Manneguda, Pudur, K.V. Rangareddy, Telangna - 501101

...RESPONDENTS/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 against the Petitioner / Accused in F.I.R. No. 164/2022 dated 15/10/2022 registered in P.S.Chengomul, Vikarabad.

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 direct the investigation agency not to arrest the petitioner/Accused and not to take any other sort of coercive or illegal actions against the petitioner in in FIR No. 164 of 2022 dated 15-10-2022 registered in P.S. Chengomul pending disposal of the above Quash Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri R.A. ACHUTHANAND, Advocate for the Petitioner and the Additional 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.2430 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.164 of 2022 on the file of Station House Officer, Chengomul Police Station, Vikarabad District. The offences alleged against the petitioner are under Sections 294-B, and 307 read with Section 34 of Indian Penal Code (for short "IPC").

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 is less than seven years, this Court deems it appropriate to direct the Investigating Officer in FIR No.164 of 2022 on the file of Station House Officer, Chengomul Police Station, Vikarabad District, the investigation officer shall not coerce the petitioner to furnish any documents and conclude the investigation without taking any coercive steps

against the petitioner – Accused till completion of investigation, by strictly following 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***¹. However, the petitioner shall co-operate with the Investigating Officer as and when required 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.

//TRUE COPY//

Sd/- V. KAVITHA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Station House Officer, Chengomul Police Station, Vikarabad.
2. Two CC to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
3. One CC to Sri R.A.Achuthanand, Advocate [OPUC]
4. Two CD Copies

BJLB

DL

¹ (2014) 8 SCC 273

HIGH COURT

DATED:10/03/2023

ORDER

CRLP.No.2430 of 2023



CRIMINAL PETITION IS DISPOSED OF

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MA
16/3/23