

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE FOURTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 3328 OF 2023

Between:

1. K. Alivelu, W/o K. Ramesh Aged about. 32 years, occ. Housewife R/o H.No. 8-4-369/354, Banjara Hills Borabanda, Hyderabad.
2. K. Ramesh, S/o Late K. Ramaswamy Aged about. 39 years, occ. Employee R/o 8-4-369/354, Banjara Nagar Borabanda, Hyderabad
3. B Ramulu, S/o Late B. Venkatesham Aged about. 53 years, occ. Employee R/o 8-4-369/354, Banjara Nagar Borabanda, Hyderabad
4. B. Laxmi, W/o Ramulu, Aged about. 58 years, occ. Hhousehold R/o 8-4-369/354, Banjara Nagar Borabanda, Hyderabad.
...PETITIONER/ACCUSED

AND

1. The State of Telangana, Represented by the Public Prosecutor High Court of Hyderabad.
2. Smt. Gajjala Lakshmi, S/o Krishna Aged about. 54 years, Occ. House Hold R/o H.No. 8-4-367/143, Vinayaka Rao Nagar Hyderabad, Telangana

...RESPONDENTS/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 proceedings in Cr./FIR No. 1007 of 2022, dated 19/12/2022, on the file PS S.R. Nagar.

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 in Cr./FIR No. 1007 of 2022, dated 19/12/2022, on the file PS S.R. Nagar.

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 with filing of the certified copies in Cr./FIR No. 1007 of 2022, dated 19/12/2022, on the file PS S.R. Nagar.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri S. NAGESH REDDY, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No. 1 and none appeared for the Respondent No. 2.

The Court made the following:

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.3328 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 to quash the proceedings against him in FIR No.1007 of 2022 on the file of Station House Officer, S.R.Nagar Police Station, Hyderabad. The offences alleged against the petitioners are punishable under Sections 406, 420, 506 of Indian Penal Code and Section 3(1)(r)(s) of SC ST POA Act.

2. Heard learned counsel for the petitioners 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.1007 of 2022 on the file of Station House Officer, S.R.Nagar Police Station, Hyderabad, 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 Bihar¹ 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.

Sd/- A.V.S.PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The III Addl. Metropolitan Magistrate, Nampally, Hyderabad.
2. The Station House Officer, S.R. Nagar Police Station, Hyderabad.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad (OUT).
4. One CC to SRI. S. NAGESH REDDY, Advocate [OPUC]
5. Two CD Copies
DL

NJB 

HIGH COURT

KS,J

DATED:04/04/2023

ORDER

CRLP.No.3328 of 2023



CRIMINAL PETITION IS
DISPOSED OFF

2
KMA
18-29/4/2023