

**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: 3339 OF 2023

Between:

Mohammad Quddus, S/o.Mohammad Mahbbob Ali Age. 43 Years, Occ. Business
R/o. H.No.1-33, Singitham Sanga Reddy District

...PETITIONER/ACCUSED No.5

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court of
Telangana at Hyderabad **...RESPONDENT No.1/COMPLAINANT**
2. Kotha Vijaya Bhaskar Reddy, S/o. Kotha Raghava Reddy, Age.35 Yrs, Occ.
Agriculture R/o. Muthyalampally Village Addakal Mandal, Mahabubnagar
District. **...RESPONDENT No.2/DEFACTO 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.06/2023 which is on the file of PS Addakal, Mahbubnagar for the offence U/s.411 IPC against the petitioner herein in the interest of justice.

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 in Crime No.06/2023 which is on the file of PS Addakal, Mahbubnagar for the offence U/s.411 IPC against the petitioner including arrest pending disposal of the present Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri S. M SAIFULLAH, 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: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.3339 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.5 to quash the proceedings against him in FIR No.6 of 2023 on the file of Station House Officer, Addakal Police Station, Mahabubnagar. The offences alleged against the petitioners are punishable under Section 379 of Indian Penal Code and.

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.6 of 2023 on the file of Station House Officer, Addakal Police Station, Mahabubnagar, 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 Bihar² 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/- C. PRAVEEN KUMAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial Special JMFC Mobile Court At Mahabubnagar.
2. The Station House Officer, Addakal Police Station, Mahabub Nagar District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad (OUT).
4. One CC to SRI. S. M SAIFULLAH, Advocate [OPUC]
5. Two CD Copies

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HIGH COURT

KS,J

DATED:04/04/2023

ORDER

CRLP.No.3339 of 2023



CRIMINAL PETITION IS DISPOSED OFF

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12/4/23