

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**THURSDAY, THE THIRTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 3692 OF 2023

Between:

1. Sajja Srinivas, S/o Sajja Sambashiva Rao, Aged about 39 Years, Occ: Junior Veterinary Officer,
2. Sajja Laxmi, W/o Sajja Srinivas Rao, Aged about 37 Years, Occ: Housewife, Both are R/o H.No. 10-9-463/1A, Sal Naar, Road No.2, Varni Road, Nizamabad District.

...PETITIONERS/ACCUSED NO.1 & 2

AND

1. The State of Telangana, through S.H.O. Nizamabad V Town Police Station, Nizamabad District, rep. by Public Prosecutor, High Court, Hyderabad.
2. Thatikayala Jayaram, S/o Sailu, Aged About 52 Years, Occ. Doctor, R/o Nagole, Uppal, Medchal-Malkajgiri District.

...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 call for the records relating to Crime.No.19 of 2023, on the file of Nizamabad V Town Police Station, Nizamabad 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 stay all further proceeding including arrest of the petitioners in Crime.No.19 of 2023, on the file of Nizamabad V Town Police Station, Nizamabad District.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri GAJANAND CHAKRAVARTHI, Advocate for the Petitioner and the Public Prosecutor (TG) 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.3692 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 Nos.1 and 2 to quash the proceedings against them in respect of FIR No.19 of 2023 pending on the file of Station House Officer, Nizamabad V Town Police Station, Nizamabad District. The offences alleged against the petitioners are punishable under Sections 323 and 506 read with Section 34 of the 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 petitioners are punishable up to seven years, this Court deems it appropriate to direct the Investigating Officer in FIR No.19 of 2023 of Nizamabad V Town Police Station, Nizamabad 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**¹ scrupulously. The petitioners shall co-operate with the Investigating Officer in concluding the investigation as and when required.

4. Accordingly, the Criminal Petition is disposed off.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- G. SIREESHA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Station House Officer, Nizamabad V Town Police Station, Nizamabad Dt.
2. Two CC's to the Public Prosecutor, High Court for the State of Telangna at Hyderabad [OUT]
3. One CC to SRI. GAJANAND CHAKRAVARTHI Advocate [OPUC]
4. Two CD Copies

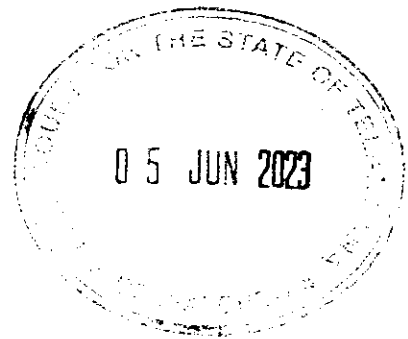
pcsd
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18 SCC 273

HIGH COURT

KS,J

DATED:13/04/2023



ORDER

CRLP.No.3692 of 2023

DISPOSING OF THE CRIMINAL PETITION