

HIGH COURT FOR THE STATE OF TELANGANA

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

**PRESENT
THE HONOURABLE SRI JUSTICE K.SURENDER**

CRIMINAL PETITION NO: 3974 OF 2023

Between:

1. Gaddam Sanjeeva Reddy, S/o Gaddam Krishna Reddy, Age. 38 Years, Occ. Business, R/o Flat no. 204, BVRS-2, Residency, Jaya Krishna Enclave, Hastinapuram Ranga Reddy Dist.

...PETITIONER/ACCUSED Nos. 19 & 20

AND

1. The State of Telangana, Through PS Matwada Rep by its Public Prosecutor, High Court for the State of Telangana At Hyderabad.
2. T. Yadagiri, Asst. Sub Inspector of Police, Ps Matwada

...RESPONDENT/COMPLAINANTS

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 FIR No. 104 of 2023, Dt. 10.03.2023 on the file of Police Station Matwada, Warangal 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 grant STAY of all further proceedings in FIR No. 104 of 2023, Dt. 10.03.2023 on the file of Police Station, Matwada, Warangal District.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri K Karuna Sagar, Advocate for the Petitioner and the Public Prosecutor (TG) on behalf of the Respondent No.1 and one appeared for the Respondent No.2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.3974 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.19 and 20 to quash the proceedings against them in respect of FIR No.104 of 2023 pending on the file of Station House Officer, Matwada Police Station, Warangal District. The offences alleged against the petitioners are punishable under Sections 379, 420, 468 and 471 of Indian Penal Code and Section 21(1) of Mines and Minerals 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 respect of FIR No.104 of 2023 of Matwada Police Station, Warangal 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 appear before the police and execute a personal bond for an amount of Rs.50,000/- each (Rupees Fifty Thousand only) and shall co-operate with the Investigating Officer in concluding the investigation. In the event of requirement of specimen signatures by the investigating agency, the same shall be provided by the petitioners.

4. Accordingly, the Criminal Petition is disposed off.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- B. CHANDRA PRAKASH
ASSISTANT REGISTRAR

//TRUE COPY//

Ket
SECTION OFFICER

To,

1. The Station House Officer, Police Station, Matwada, Warangal District.
2. One CC to Sri. K Karuna Sagar Advocate [OPUC]
3. Two CCs to Public Prosecutor, High Court for the State of Telangana, Hyderabad (OUT]
4. Two CD Copies
5. One spare Copy

pmg.

¹ (2014) 8 SCC 273

HIGH COURT
DATED:20/04/2023

ORDER
CRLP.No.3974 of 2023



CRIMINAL PETITION IS DISPOSED OF

⑦ pmg.
19/5/23.