

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

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

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No: 3992 OF 2023

Between:

Panja Venkat Rajesh alias Rajesh, S/o.P.Babu Rao, Aged 39 yrs. Occupation. Business, R/o. F.No.301, Sambhavi Residency, Mothi Nagar, Balnagar, Rangareddy District. A1

...Petitioner/A1

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court at Hyderabad.
2. Gotte Kumaraswamy, S/o Ashalu, age 35 years, Occ Business Rio Maruthinagar Mancheria Town and District

...Respondents

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. 58 of 2023 dated 01-04-2023 on the file of P.S. Trimulgherry, Hyderabad District.

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 the filing of the certified copy of Crime No. 58 of 2023 of Trimulgherry Police Station, Hyderabad 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 of all further proceedings in Crime No. 58 of 2023 of Trimulgherry Police Station, Hyderabad.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri VENKAT REDDY KODUMURY, Advocate for the Petitioner and the Additional 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.3992 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.1 to quash the proceedings against him in Crime No.58 of 2023 on the file of Station House Officer, Tirumalghery Police Station, Hyderabad. The offences alleged against the petitioners under Sections 406 and 290 of the Indian Penal Code and Section 3 (1) (r) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

02. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent No.1 – State.

03. On perusal of the record, since the punishment prescribed for the offences alleged against the petitioners are up to seven years, this Court deems it appropriate to direct the Investigating Officer in Crime No.58 of 2023 on

the file of Station House Officer, Tirumalghery 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 Bihar***¹ scrupulously. The petitioner shall co-operate with the Investigating Officer in concluding the investigation.

04. 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 IIInd Additional Judicial First Class Magistrate, at Mancherial.
2. The Station House Officer, Mancherial Town Police Station, Ramagundam District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad.(OUT)
4. One CC to SRI. VENKAT REDDY KODUMURY, Advocate [OPUC]
5. Two CD Copies

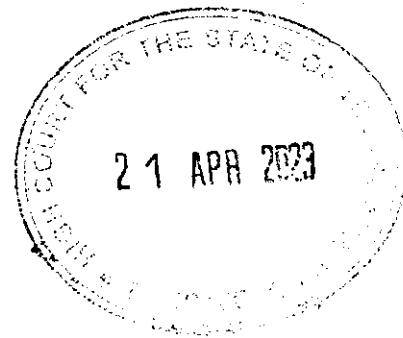
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¹ (2014) 8 SCC 273

HIGH COURT

KS,J

DATED:20/04/2023



ORDER

CRLP.No.3992 of 2023

**DISPOSING OF THE
CRIMINAL PETITION**


MA
20/4/23