

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

TUESDAY, THE SIXTH DAY OF JUNE
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SMT JUSTICE G.ANUPAMA CHAKRAVARTHY

CRIMINAL PETITION NO: 4853 OF 2023

Between:

1. M/s Dwelton Reality Pvt. Ltd., Rep. by its Managing Director, K.Madhusudhan Reddy, S/o. K.Gangi Reddy, Aged 53years, Occ Business, R/o. H.No.2-108/AHPB/62, PJR Layout Road, Chandanagar, Hyderabad - 50, Telangana.
2. M/s J C Constructions,, Rep. by its Managing Director, Jagarlamudi Chandrasekhar, S/o. J.Venkata Subbaiah, Aged 51years, Occ Business, R/o. Plot No.14/1/7, 14/1/8-A, Survey No.66/1, 64/P, Nacharam, IDA, Uppal, Hyderabad - 76, Telangana.

...PETITIONER/ACCUSED(S)

AND

1. State of Telangana, Rep.by its Public Prosecutor, High Court, Hyderabad. Through the Station House Officer, Central Crime Station P.S., Hyderabad.
2. T.Aproop,, S/o.Dr.T.K.M.Chatarji, Aged 54years, Occ Business, R/o. H.No.8-2-700, Road No.12, Banjara Hills, Hyderabad.

...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 FIR No.280/2022, on the file of Central Crime Station P.S., Hyderabad as against the petitioners / Accused No.12 and 13 herein and pass

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 interim stay of all further proceedings in FIR No.280/2022, on the file of Central Crime Station P.S., Hyderabad, including arrest of the Petitioners / Accused No. 12 and 13 herein, pending disposal of the above criminal petition and pass

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri S. Thulasiram, Advocate for the Petitioner and the Assistant 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 HON'BLE SMT. JUSTICE G. ANUPAMA CHAKRAVARTHY

CRIMINAL PETITION No.4853 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.12 and 13 to quash the proceedings against them in FIR No.280 of 2022 on the file of Station House Officer, Central Crime Station, Hyderabad. The offences alleged against the petitioners are punishable under Sections 420, 465, 468, 471 read with 34 of Indian Penal Code.

2. Heard learned counsel for the petitioners and Sri S.Ganesh, learned Assistant 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 up to seven years, this Court deems it appropriate to direct the Investigating Officer in FIR No.280 of 2022 on the file of Station House Officer, Central Crime 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 petitioners 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/-P. PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The XII Addl. Chief Metropolitan Magistrate at Nampally, Hyderabad
2. The Station House Officer, Central Crime Police Station, Hyderabad
3. One CC to Sri S. Thulasiram, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana (OUT)
5. Two CD Copies

KK

PR



¹ (2014) 8 SCC 273

HIGH COURT

DATED:06/06/2023

ORDER

CRLP.No.4853 of 2023



**DISPOSING OF THE
CRIMINAL PETITION**

8
01/07/23
BSR