

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

**THURSDAY, THE SEVENTEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE**

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

CRIMINAL PETITION NO: 7481 OF 2023

Between:

Pentareddy Prathap Reddy, S/o.Late Bal Reddy, Aged about 59 years, Occ .
Business, R/o.H.No.2-70/1, Plot No.259, 2nd Lane, Vijayapuri Colony, Chowdariguda,
Narepalli, K.V.Ranga Reddy District.

...PETITIONER/ACCUSED NO.1

AND

The State of Telangana, Rep. by its, Public Prosecutor, High Court of Judicature at
Hyderabad Through P.S. KUC.

...RESPONDENT/COMPLAINANT

Petition under Section 438 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 enlarge the Petitioner on Bail in the event of his arrest in F.I.R.No.344
of 2023, dt.11.07.2023 on the file of KUC Police Station, Warangal District, for the
alleged offence U/Sec.420, 447, 427, 386 r/w 34 IPC

This Petition coming on for hearing, upon perusing the Memorandum of
Grounds of Criminal Petition and upon hearing the arguments of Sri.TERA
RAJINIKANTH REDDY, Advocate for the Petitioner and of the Additional Public
Prosecutor for the State of Telangana on behalf of the Respondent.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.7481 OF 2023

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioner/Accused No.1 seeking to enlarge the petitioner on bail in the event of his arrest in connection with F.I.R No.344 of 2023, dated 11.07.2023 on the file of KUC Police Station, Warangal District, registered for the offences punishable under Sections 420, 447, 427, 386 r/w 34 of Indian Penal Code (for short 'IPC').

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent – State.

3. As seen from the complaint, there is an allegation of threat by the petitioner to settle the issues for an amount of Rs.20,00,000/-. However, no such amount was handed over. In the said circumstances, *Prima facie* the offence punishable under Section 386 of IPC is not attracted against the petitioner. Since all the other offences alleged against the petitioner are punishable with less than (07) years, this Court deems it appropriate to direct the Investigating Officer

in FIR No.344 of 2022 pending on the file of KUC 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.

4. Recording the said submission, the Criminal Petition is disposed of.

Miscellaneous Petitions, pending if any, shall stand closed.

(2014) 8 SCC 273

Sd/-N.CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To

1. The Station House Officer, P.S., KUC, Warangal District.
2. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
3. One CC to Sri Tera Rajanikanth Reddy, Advocate [OPUC]
4. Two CD Copies

Kj.



HIGH COURT

DATED:17/08/2023



ORDER

CRLP.No.7481 of 2023

DISPOSING OF THE CRL.P.
WITHOUT COSTS.

⑦ VW
13/9/23