

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

**SATURDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 9340 OF 2023

Between:

1. P.Srinivas Raju, S/o. Late P.Appala Narasimha Raju @ P.Appala Narsimha Raju, Aged 43 Years, Occupation. Business, R/o. H.No-5-1-625/C/1, Nampally, Hyderabad.
2. P. Laxmi Kumari, W/o. P.Ramu, Aged 50 Years, Occupation. Housewife, R/o. H.No. 8-3-529/80/C, Rahmath Nagar, Khairtabad, Hyderabad.

...PETITIONER/ACCUSED-1 & 2

AND

1. The State of Telangana, Rep. by its Public Prosecutor through Abdullapurmet Police Station, Rachakonda Commissionerate, AT. Ranga Reddy District.

...RESPONDENT/COMPLAINANT

2. Smt. M. Sunita, W/o MVK Raju, age.54yrs, Occupation .Self Employed, R/o H.No.9-28-4A, Balaji Nagar, Vishakapatnam, Andhra Pradesh.

...RESPONDENT/DEFACTO 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 in connection with the Crime No. 416/2023 Pending before the Station House Officer, Abdullapurmet Police Station, Rachakonda Commissionerate, AT. Ranga Reddy District, Telangana and the same may be quashed against the petitioners/ Accused No-land 2.

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 connection with the Crime No. 416/2023 Pending before the Station House Officer, Abdullapurmet Police Station, Rachakonda Commissionerate, AT. Ranga Reddy District, Telangana

and the same may be quashed against the petitioners/ Accused No- 1 and 2 pending finalization of the Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Rachakonda Ramakrishna, 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.9340 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 him in FIR No.416 of 2023 pending on the file of Station House Officer, Abdullapurmet Police Station, Rachakonda. The offences alleged against him are under Sections 419, 420, 468, 471 r/w 34 of Indian Penal Code (for short "IPC").

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent No.1- State. Perused the Record.

3. After arguing sometime, learned counsel for the petitioners confines his prayer to direct the police to follow the procedure prescribed under Section 41-A of Cr.P.C. for reason of the offences alleged against the petitioners are punishable less than seven (07) years.

4. In view of the aforesaid submission of the learned counsel for the petitioners, this Criminal Petition is disposed off directing the Investigating Officer in FIR No.416 of 2023 pending on the file of Station House Officer, Abdullapurmet Police Station, Rachakonda, to strictly follow the procedure laid down under Section 41-A of Cr.P.C. and also the guidelines issued by the Hon'ble Supreme Court in ***Arnesh Kumar v. State of Bihar***¹. The petitioners shall co-operate with the Investigating Officer by furnishing information and documents as sought by him in concluding the investigation.

Miscellaneous applications pending, if any, shall stand closed.

SD/-A.V.S.PRASAD
ASSISTANT REGISTRAR

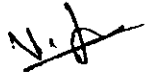
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SECTION OFFICER

To,

1. The XIV Additional Metropolitan Magistrate at Rachakonda at Hayathnagar.
2. The Station House Officer, Abdullapurmet Police Station, Rachakonda Commissionerate at Ranga Reddy District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad[OUT]
4. One CC to Sri Rachakonda Ramakrishna, Advocate [OPUC]
5. Two CD Copies

CD/plp



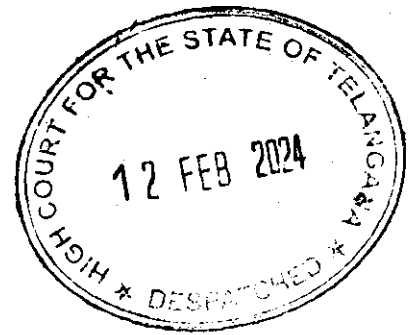
¹ (2014) 8 SCC 273

HIGH COURT

DATED:23/09/2023

ORDER

CRLP.No.9340 of 2023



DISPOSING OF THE CRL.P.

(8) VLV
31/1/24