

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

**FRIDAY, THE TWENTY NINTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 9439 OF 2023

Between:

Md. Zain Ul Abedin, S/o Zaheeruddin Abedin Aged About 32 years, Occ.
Advocate R/o H. No. 20-1-341/B, Koka Bazaar, Hussaini-Alam, Hyderabad 500
064-T.S.

...Petitioner/Accused

AND

The State of Telangana, Through P.S. S.H.O. Falaknuma Rep. by its Public
Prosecutor, High Court for the State of Telangana at Hyderabad.

...Respondent/Complainants

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 grant Anticipatory bail by directing the Respondent to release the Petitioner/Accused in the event of arrest, on any terms and conditions in the above crime No. 329 of 2022 on the file of P.S. Falaknuma, Hyderabad, Distric.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Nabi Rasool Baladur, Advocate for the Petitioner and the Public Prosecutor (TG/AP) on behalf of the Respondent No. and for the Respondent No.

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 9439 of 2023

ORDER:

1. This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioner/Accused seeking bail in the event of his arrest in connection with Crime No.329 of 2022 on the file of Falaknuma Police Station, Hyderabad, registered for the offences punishable under Sections 354-D and 506 of IPC.
2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. Learned counsel for the petitioner submits that the Police are deliberately making the petitioner sit in the Police Station for hours together.
4. Perusal of the record reveals that the offences alleged against this petitioner are punishable less than seven years, as such, the Investigating Officer in Crime No.329 of 2022 on the file of Falaknuma Police Station, Hyderabad, is directed 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. Further, the Investigating Officer is directed not to force any settlement in between the spouses and shall not make the petitioner/accused sit in the Police Station for hours together unnecessarily without any reason. However, the petitioner shall co-operate with the Investigating Officer by furnishing information and documents as sought by him in concluding the investigation.

5. Accordingly, the Criminal Petition is disposed off. Miscellaneous applications pending, if any, shall stand closed.

SD/-P. CH. NAGABHUSHAMBA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

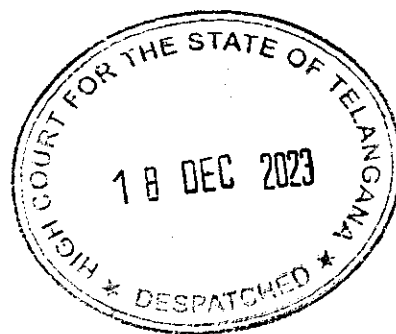
1. The XVI Additional Chife Metropolitan Magistrate, at Hyderabad.
2. The Station House Officer, Falaknuma police station, Hyderabad.
3. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT].
4. One CC to Sri. Nabi Rasool Baladur, Advocate [OPUC]
5. Two CD Copies



HIGH COURT

KSJ

DATED:29/9/2023



ORDER

CRLP.No.9439 of 2023

DISPOSING OF THE CRL PETITION

⑧ VW
13/12/23