

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

FRIDAY, THE THIRD DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 10828 OF 2023

Between:

1. Ponnala Rosemary, W/o.Vijaya Rao, Age 75 years, Occ. Rtd. Teacher, R/o.H.No.3-154/3, Vittal Nagar, Ramakrishnapur, Mandal Mandamarri, Dist. Mancherial.
2. Ponnala Vinay Kumar, S/o.Vijaya Rao, Age 50 years, Occ. Business, R/o.H.No.3-154/3, Vittal Nagar, Ramakrishnapur, Mandal Mandamarri, Dist. Mancherial.

...PETITIONERS/ACCUSED No. 1 & 2

AND

1. The State of Telangana, through SHO PS Mancherial Town, Represented by the Public Prosecutor High Court of Telangna.
2. Saila Naresh, S/o.Rajaiah, Age 39 years, Occ. Business, R/o.Mancherial, Dist. Mancherial.

...RESPONDENTS/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 proceedings in FIR No.632/2023 dated 26.10.2023 of SHO PS Mancherial Town against the Petitioners/Accused No.1 and 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 grant stay of all further proceedings in FIR No.632/2023 dated 26.10.2023 of SHO PS Mancherial Town against the Petitioners/Accused No.1 and 2 including arrest of the petitioners.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri KONDADI AJAY KUMAR, Advocate for the Petitioners and the Public Prosecutor on behalf of the Respondent No.1 and of None appeared for the Respondent No.2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.10828 2023

ORDER:

1. 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 them in F.I.R.No.632 of 2023 pending on the file of the Mancherial Town Police Station, registered for the offences punishable under Sections 420 and 506 of Indian Penal Code.

2. Heard learned counsel for the petitioners and learned Public Prosecutor for the respondent - State and perused the record.

3. On perusal of the record, since the punishment prescribed for the offences alleged against the petitioner are up to seven years, this Court deems it appropriate to direct the Investigating Officer in F.I.R.No.632 of 2023 pending on the file of the Mancherial Town 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 petitioners shall co-operate with the Investigating Officer by furnishing information and documents as sought in concluding the investigation.

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

Sd/- P. NAGABHUSHAMBA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The II Additional Judicial First Class Magistrate at Mancherial.
2. The Station House Officer, Mancherial Town Police Station, Ramagundam, District.
3. One CC to Sri Kondadi Ajay Kumar, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana (OUT)
5. Two CD Copies

BJLB



HIGH COURT

KS,J

DATED:03/11/2023

ORDER

CRLP.No.10828 of 2023



CRIMINAL PETITION IS DISPOSED OF


my
13/12/23