

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

FRIDAY ,THE TWENTY SECOND DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI

CRIMINAL PETITION NO: 12621 OF 2023

Between:

Smt. Jitta Ashwini, W/o Jitta Bala Krishna, Aged about 35 years, Occ. Hostel worker, R/o Meerpet, Jillaguda, R.R.District.

...PETITIONER/ACCUSED No.1

AND

1. The State of Telangana, Through S.H.O., Vanastalipuram Police Station, Rachakonda Commissionerate, R.R.District, Rep. by its Public Prosecutor, High Court, Hyderabad.
2. T.Nagendra Varma, S/o Raju, Aged about 36 years, Occ. Private Employee, R/o Plot No. 503, 5th Floor, Sai Chaitanya Residency, Tarnaka, Hyderabad.

...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 call for the records relating to the F.I.R.No. 1453 of 2023 on the file of the Vanastalipuram Police Station, Rachakonda Commissioinerate, R.R.District, and quash the proceedings thereon, and to grant

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 including the arrest of the petitioner in F.I.R. No. 1453 of 2023 on the file of the Vanastalipuram Police Station, Rachakonda Commissioinerate, R.R.District, pending disposal 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 Karunakar Reddy, Advocate for the Petitioner and the Asst. Public Prosecutor on behalf of the Respondent No.1 and of the Respondent No.2 is not appearing in personal or by Advocate.

The Court made the following: ORDER

THE HON'BLE SMT. JUSTICE T. MADHAVI DEVI

CRIMINAL PETITION No.12621 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 petitioner, who is arrayed as Accused No.1, to quash the proceedings against her F.I.R.No.1453 of 2023 on the file of the Vanastalipuram Police Station, Rachakonda Commissionerate, Ranga Reddy District for the alleged offences punishable under Sections 406, 420 and 506 read with Section 34 of IPC.

2. Heard learned counsel for the petitioner and learned Assistant Public Prosecutor for respondent No.1 - State.

3. Without going into the merits of the case, since the punishment prescribed for the offences alleged against the petitioner is less than seven (07) years, this Court deems it appropriate to direct the petitioner/accused No.1 to appear before the Investigating Officer on or before 09.01.2024 between 02:00 p.m. and 04:00 p.m. and inturn the Investigating Officer 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** scrupulously. However, the petitioner/accused No.1 shall co-operate with the Investigating Officer as and when required by furnishing information and documents as sought by him in concluding the investigation. The petitioner/accused No.1 shall file all the documents which she ought to file to prove that it do not come under the criminal offences and the Investigating Officer shall consider the same before filing appropriate report before the Magistrate. Till the police investigate in the matter and take decision on the documents filed by the petitioner in response to 41-A notice, there shall not be any arrest.

4. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications, if any pending, shall also stand closed.

(2014) 8 SCC 273

//TRUE COPY//

SD/-T. JAYASREE
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The VII Addl Metropolitan Magistrate Cyberabad at Hayathnagar, Ranga Reddy District.
2. The Station House Officer, Vanastalipuram Police Station, Rachakonda.
3. One CC to Sri Karunakar Reddy, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana (OUT)
5. Two CD Copies

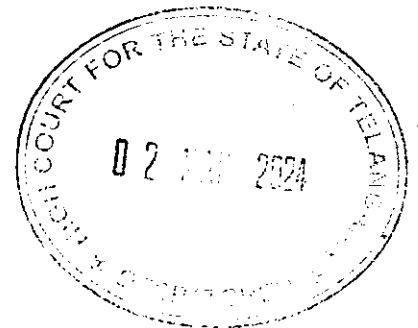
 J. V. B. J. L. B.
MY

HIGH COURT

DATED:22/12/2023

ORDER

CRLP.No.12621 of 2023



CRIMINAL PETITION IS DISPOSED OF

8
20/2/24
FWZ