IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY THE FOURTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI

CRIMINAL PETITION NO: 57 OF 2024

Between:

1. Haribabu, S/o. Mallaiah Kotha, Aged. 41 years, Occ. Business, H No. 5-15, Kashimpalli, Bhupalpalle, Jayshankar Bhupalpally District, Telangana
2. Narsingha Rao Chanda, S/o Chanda Mallaiah, Aged. 54 years, Occ. Private Person, 6-88, Jawahar Nagar, Bhupalpally, Jayshankar Bhupalpally District, Telangana.

...PETITIONER/ACCUSED NO.1 & 2

AND

1. The State of Telangana, Through SHO, PS Bhupalpally Jayashankar Bhupalapalli District, Represented by Public Prosecutor High Court For the state of Telangana At Hyderabad.

...RESPONDENT

2. **Srinivasulu Y S/o Not Known to the Petitioner, Aged: Major, Occ: Govt. Officeial Gazetted, Jayshankar Bhupalpally District, Telangana**

...RESPONDENT/DEFACTO 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 against the Petitioners/Accused No.1 and 2 in Crime No.611 of 2023 on the file of Station House Officer, P.S. Bhupalpally, Jayshankar Bhupalpally District

I.A. NO: 2 OF 2024

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 all further proceedings including the investigation and arrest of the Petitioners herein/accused No.1 and 2 in Crime No.611 of 2023 on the file of Station House Officer, P.S. Bhupalpally, Jayshankar Bhupalpally District however the Court deems fit.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri T PRANAV RAO, Advocate for the Petitioner and the Public Prosecutor (TG) on behalf of the Respondent No.1 and None Appeared for the Respondent No.2

The Court made the following: ORDER

HON'BLE SMT. JUSTICE T. MADHAVI DEVI

CRIMINAL PETITION No.57 of 2024

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioners, who are arrayed as A.1 & A.2 in FIR, seeking to quash the proceedings against them in Crime No. 611 of 2023 on the file of Bhupalapally Police Station, Jayashankar Bhupalapally District, registered for the alleged offences punishable under Sections 447, 427 r/w 34 IPC and 3 of Prevention of Damage to Public Property Act, 1984.

2. Heard learned counsel for the petitioners 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 petitioners is less than seven (07) years, this Court deems it appropriate to direct the petitioners to appear before the Investigating Officer on or before 23.01.2024 between 02:00 p.m. and 04:00 p.m. and in turn, 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 of India in ***Arnesh Kumar v.***

State of Bihar[1] scrupulously. However, the petitioners shall co-operate with the Investigating Officer as and when required by furnishing information and the petitioners shall produce all relevant documents/material required for the purpose of the investigation and the Investigating Officer shall consider the same before filing appropriate report before the learned Magistrate concerned.

4. Accordingly, the Criminal Petition is disposed of.

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

SD/-C. PRAVEEN KUMAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial First Class Magistrate, Bhupalpally Jayashankar Bhupalapalli District
2. The Station House Officer, Police Station, Bhupalpally Jayashankar Bhupalapalli District,
3. One CC to SR. T PRANAV RAO Advocate [OPUC]
4. Two CCs to the Public Prosecutor High Court For the state of Telangana At Hyderabad [OUT]
5. **Two CD Copies**

AA

MY

[1] (2014) 8 SCC 273

HIGH COURT

DATED: 04/01/2024

ORDER

CRLP.No.57 of 2024



THE CRIMINAL PETITION
IS DISPOSED OF F

CHR
13/2/24