

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

**THURSDAY THE FIFTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR**

**PRESENT
THE HONOURABLE SMT JUSTICE K. SUJANA**

CRIMINAL PETITION NO: 1774 OF 2024

Between:

1. PrabhakarMotam, S/o. Upender, Aged 42 years, R/o.H.No. 2-105/72/5-1B, Occ: Private Employee Behind Govt. hospital, Ghanpur, Jangaon.
2. Kadamanchi Laxminarayana, S/o. Chinna Sailu, Occ. Business Aged 61 years, R/o.Namiligonda, Ghanpur, Jangaon.
3. Kadamanchi Laxmipathi, S/o. ChinnaSailu, Occ. Business, Aged 43 years, R/o.Namiligonda, Ghanpur, Jan6aon.

...PETITIONERS/ACCUSED No. 1, 2 & 3

AND

1. The State of Telangana, through its Public Prosecutor, High Court Hyderabad
2. Prabhakar Motam, S/o. Maraiah, Occ. Private Employee, Aged 51 years, R/o.Namiligonda, Ghanpur, Jangaon

...RESPONDENTS/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 quash the F.I.R. No. 37 of 2024 dated 03/02/2024 U/s. 420, 384, 506 r/w. 34 IPC on the file of P.S. Ghanpur W as one with an intent to abuse process of law.

I.A. NO: 1 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 in F.I.R. No. 37 of 2024 dated 03/02/2024 U/s. 420, 384, 506 r/w. 34 IPC on the file of P.S. Ghanpur W 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 VISHAL KUMAR JAIN, Advocate for the Petitioner and the Sri S. GANEHS, Assistant 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 SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.1774 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 accused Nos. 1 to 3 in FIR, seeking to quash the proceedings against them in Crime No.37 of 2024 on the file of Ghanpur W Police Station, Warangal District, registered for the alleged offences punishable under Sections 420, 384, 506 read with 34 of IPC.

2. Heard Sri Vishal Kumar Jain, learned counsel for the petitioners and Sri S. Ganesh, 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 22.02.2024 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/- P CH NAGABHUSHAMBA,
ASSISTANT REGISTRAR.

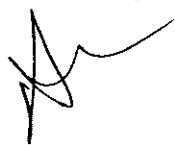
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SECTION OFFICER

To,

1. The Additional Judicial First Class Magistrate at Jangaon.
2. The Station House Officer, Ghanpur W Police Station, Warangal.
3. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad. (OUT)
4. One CC to SRI. VISHAL KUMAR JAIN, Advocate [OPUC]
5. Two CD Copies

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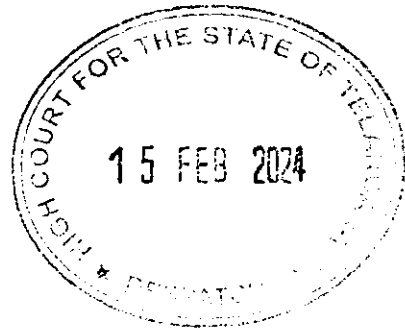


HIGH COURT

DATED:15/02/2024

ORDER

CRLP.No.1774 of 2024



CRIMINAL PETITION IS DISPOSED OFF

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MEMO
15/2/2024