

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

THURSDAY, THE FOURTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 2344 OF 2024

Between:

Sri. Kodi Anthaiah, S/o. Pochaiah, age: 50 years, Occ; Agriculture & MPTC
R/o. Thangalapally Village and Mandal, Rajanna Sircilla District, TS

...Petitioner/Accused

AND

1. The State of Telangana, Rep., by its Public Prosecutor, High Court for the State of Telangana at Hyderabad, Through PS, Thangalapally, Rajanna Sircilla Dist., TS **...Respondent No.1/Complainant**
2. Gurram Anjaiah, S/o. Limbadri, aged about 78 years, Occ: Agriculture, R/o. Thangalapally Village and Mandal, Rajanna Sircilla District, TS

...Respondent No.2/Defacto 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 call for the records relating to Crime No.52 of 2024. dated.18-02-2024 of PS Thangalapally, Rajanna Sircilla District TS. on the file of the learned Judicial Magistrate of First Class, at Sircilla, Rajanna Sircilla District TS.

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 including arrest of the petitioner/accused in Crime No.52 of 2024, dated 18-02-2024 of PS Thangalapally, Rajanna Sircilla Dist., TS, on the file of the learned Judicial Magistrate of First Class, at Sircilla, Rajanna Sircilla Dist., TS, pending disposal of the above criminal petition and pass

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Bethi Venkateswarlu, Advocate for the Petitioner and of Sri S. Ganesh, Assistant Public Prosecutor on behalf of the Respondent No.1 and None Appeared for the Respondent No.2

The Court made the following: ORDER

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.2344 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 petitioner, who is arrayed as accused in FIR, seeking to quash the proceedings against him in Crime No.52 of 2024 on the file of Thangallapalli Police Station, Rajanna Sircilla District, registered for the alleged offences punishable under Sections 447 and 386 of IPC.

2. Heard Sri Bethi Venkateshwarlu, learned counsel for the petitioner and Sri S. Ganesh, learned Assistant Public Prosecutor for respondent No.1 – State.

3. As seen from the record, the ingredients of the offences under Section 386 of IPC case does not attract the petitioner. Since the punishment prescribed for the offences alleged against the petitioner under Section 447 of IPC is less than seven (07) years, this Court deems it appropriate to direct the petitioner/accused to appear before the Investigating Officer on or before 22.03.2024 between 11:00 a.m. and 05:00 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 Bihar¹ scrupulously. However, petitioner/accused shall co-operate with the Investigating Officer as and when required by furnishing information and the petitioner 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.

//TRUE COPY//

Sd/- A.V.S. PRASAD
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Station House Officer, Thangallapalli Police Station, Rajanna Siricilla District.
2. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
3. One CC to Sri Bethi Venkateswarlu, Advocate [OPUC]
4. Two CD Copies

PSR



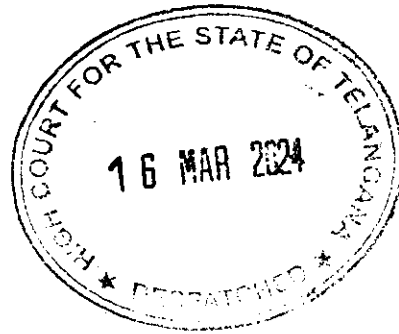
¹ (2014) 8 SCC 273

HIGH COURT

DATED:14/03/2024

ORDER

CRLP.No.2344 of 2024



DISPOSING OF THE CRIMINAL PETITION

7
HMA
18/3/2024