

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

**WEDNESDAY, THE TWENTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 3207 OF 2024

Between:

Uppari Pedda Kishtanna, S/o Ashanna, Aged about 72 years , Occ: Farmer,
R/o H.No. 6-22, Peddapalli Village, Maldakal Mandal, Jogulamba, Gadwal
District

...Petitioner/Accused No.2

AND

1. The State of Telangana, Represented by its Public Prosecutor, High Court at
Hyderabad, T.S. **...Respondent No.1**
2. Pramamma, W/o. Gangadhar Reddy, Aged about 94 years, R/o. H.No.
2-2-18/42 and B-46, DD Colony, Bagh Amberpet, Hyderabad 500013

...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 declare the F.I.R No. 30 of 2024, Date 04.03.2024 Registered in P.S. Maldakal (M), Jogulamba Gadwal, Under Section 379, 34 IPC and Section 38 of TSFA as illegal and arbitrary and quash the same.

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 the arrest of the Petitioner herein in F.I.R No. 30 of 2024, Date 04.03.2024 Registered in P.S. Maldakal (M), Jogulamba Gadwal, Under Section 379, 34 IPC and Section 38 of TSFA till pending disposal of the above criminal petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri ANJANA TADISINA REDDY, 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.3207 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 No.2 to quash the proceedings against him in Crime No.30 of 2024 on the file of Maldakal (M) Police Station, Jogulamba District for the offences punishable under Sections 379, 34 of the Indian Penal Code, 1860 and Section 38 of TSFA.

2. Heard Sri Anjana Tadisina Reddy, learned counsel for the petitioner as well as 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 petitioner is less than seven (07) years, this Court deems it appropriate to direct the petitioner/accused No.2 to appear before the Investigating Officer on or before 28.03.2024 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

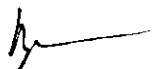
formulated by the Hon'ble Supreme Court in **Arnesh Kumar v. State of Bihar**¹ scrupulously. However, the petitioner shall co-operate with the Investigating Officer as and when required by furnishing information and documents as sought by him in concluding the investigation. The petitioner/accused shall file all the documents which he 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.

4. Accordingly, the Criminal Petition is disposed of.

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

Sd/- N. SRIHARI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Gadwal
2. The Station House Officer, Maldakal Police Station, Jogulamba Gadwal District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to Sri ANJANA TADISINA REDDY, Advocate [OPUC]
5. Two CD Copies

PSR

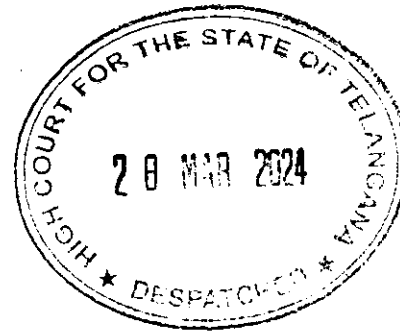


HIGH COURT

DATED:20/03/2024

ORDER

CRLP.No.3207 of 2024



**DISPOSING OF THE
CRIMINAL PETITION**

(8)

28/3/24

[Signature]