

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

TUESDAY, THE SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 3698 OF 2024

Between:

Puppala Gangadhar @ Ganga Reddy,, S/o. Puppala Gangaiah, Age: 56 years, Occ: Business, R/o. H.No.1-4, Chinnapur Village, Makloor Mandal, Nizamabad District

...Petitioner/Accused No.1

AND

1. The State of Telangana,, Through SHO, P.S. Makloor, Nizamabad District, Rep. by its Public Prosecutor, High Court for the State of Telangana at Hyderabad.

...Respondent/Complainant

2. Ch. Sudheer Rao,, S/o. Not known to the petitioner, Age: 53 years, Occ: SI of Police, P.S Makloor, Nizamabad District.

...Respondent/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 Quash the proceedings in Crime No. 263 of 2023 on the file of the police, P.S. Makloor, Nizamabad District, against the Petitioner/Accused No. 1 in the interest of justice.

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 grant interim stay of all further proceedings including arrest of the petitioner/accused No.1 in Crime No. 263 of 2023 on the file of the police, P.S. Makloor, Nizamabad District, in the interest of justice 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 S. SURENDER 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.3698 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.1, seeking to quash the proceedings against him in Crime No.263 of 2023 on the file of Makloor Police Station, Nizamabad District, registered for the alleged offences punishable under Section 427 of IPC, Section 21(1) of MMDARA, Section 3 of PDPPA and Sections 3,5 of Explosive Substance Act.

2. Heard Sri S. Surender Reddy, learned counsel for the petitioner 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 petitioner is less than seven (07) years, this Court deems it appropriate to direct the petitioner to appear before the Investigating Officer on or before 26.04.2024 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 Bihar**¹ scrupulously. However, the petitioner 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.

Sd/- P. PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

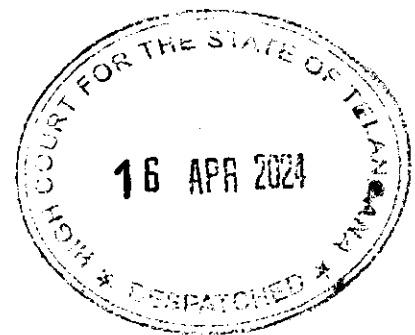
1. The Station House Officer, Makloor Police Station, Nizamabad District.
2. Two CC to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
3. One CC to Sri S. SURENDER REDDY, Advocate [OPUC]
4. Two CD Copies

PSR

¹ (2014) 8 SCC 273

HIGH COURT

DATED:02/04/2024



ORDER

CRLP.No.3698 of 2024

**DISPOSING OF THE
CRIMINAL PETITION**

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[Signature]
16/4/2024