

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

FRIDAY THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 4052 OF 2024

Between:

1. Mohammed Abdul Raoof, S/o.Mohammed Abdul Ghafoor, Aged about 53 years, Occ.Business, R/o.H.No.12-2-415/4, Gudimalkapur, Near AP Traders, Mehdiapatnam, Hyderabad-28-TS
2. Mr.M.A.Farooq, S/o.M.A.Ghafoor Aged about 50 years, Occ. Business, R/o.H.No.2-415/4, Gudimalkapur, Near AP Traders, Mehdiapatnam, Hyderabad-28-TS
3. Mr.Ata Ur Rahman, Atul Rahaman S/o.Late Abdul Rahman, Aged about 42 years, Occ: Business, R/o.H.No.10-6-431/5, Siddiq Nagar, Filter Beds, Asifnagar, Hyderabad-TS
4. Mr.Shaik Amjad Amzad, @ Amzad, S/o.Late Shaik Fareed, Aged about 41 years, Occ. Business, R/ o. H. No .5- 161, Syed Wada, Near Jamia Masjid, VTC Pargi, Vikarabad District-TS

...PETITIONERS/ACCUSED Nos. 1 to 4

AND

1. The State of Telangana, Rep. by its Public Prosecutor, Through P.S Moinabad, Cyberabad District High Court at Hyderabad.
2. Mr.Naveen Kumar Katta, S/o.Vasudeva Reddy Aged about 40 years, Occ.Business, R/o.Plot No.10, My Home Colony, Turkayamjal Village and Mandal Ranga Reddy District-TS

...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 FIR No.162 of 2024 of P.S Moinabad, Cyberabad District, dt.06/04/2024 against the Petitioners /Accused Nos.1 to 4 herein.

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 of all further proceedings in FIR No.162 of 2024 of P.S Moinabad,

Cyberabad District, dt.06-04-2024 including arrest of the Petitioners /Accused Nos.1 to 4, pending disposal of the main criminal petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri NAZIR AHMED KHAN, Advocate for the Petitioners and the Sri S. Ganesh, 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.4052 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/accused Nos.1 to 4, seeking to quash the proceedings against them in Crime No.162 of 2024 on the file of Moinabad Police Station, Cyberabad, registered for the alleged offences punishable under Sections 447, 427, 467, 468, 471, 341, 504, 506, 509, 323, 386 read with 34 of IPC.

2. Heard Sri Nazir Ahmed Khan, learned counsel for the petitioners and Sri S. Ganesh, learned Assistant Public Prosecutor for respondent No.1 – State.

3. As seen from the record, there are no allegations against the petitioners to constitute offences under Sections 386 and 467 of IPC. Hence, this Court deems it appropriate to direct the petitioners to appear before the Investigating Officer on or before 03.05.2024 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, the petitioners shall submit their defense and co-operate with the Investigating Officer as and when required by furnishing information and 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/- V. HARI PRASAD
ASSISTANT REGISTRAR

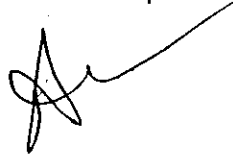
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SECTION OFFICER

To,

1. The II Additional Junior Civil Judge-Cum-XIII Additional Metropolitan Magistrate.
2. The Station House Officer, Moinabad Police Station, Cyberabad District.
3. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad. (OUT)
4. One CC to SRI. NAZIR AHMED KHAN, Advocate [OPUC]
5. Two CD Copies

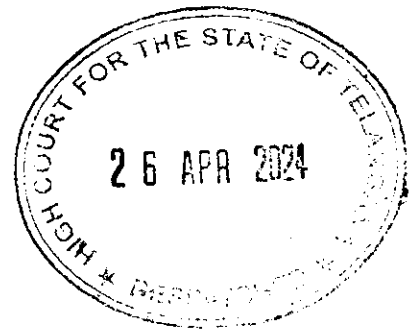
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HIGH COURT
DATED:26/04/2024

ORDER

CRLP.No.4052 of 2024



CRIMINAL PETITION IS DISPOSED OF

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R.P.A.

26/4/2024