

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

**MONDAY, THE TWENTY SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 4379 OF 2024

Between:

Katta Nagabhushana Chary @ Katta Naga Bhushanam, S/o. Raghupathi, Age. 61 Years, Occ. Goldsmith, R/o. H. No. 3-104, Choppadandi Village and Mandal, Karimnagar District.

...PETITIONER/ACCUSED

AND

1. The State of Telangana, through S.H.O., P.S. Choppadandi, Choppadandi, Karimnagar District, represented by Public Prosecutor, High Court at Hyderabad.
2. The Sub Divisional Police Officer Cum Assistant Commissioner of Police (Rural), Karimnagar, Karimnagar Proper and District.

RESPONDENTS

3. O. Kanukaiah, S/o. Rajaiah, Age. 43 Years, Occ. Business, R/o. Reddywada, Choppadandi Proper and Mandal, Karimnagar District.

...RESPONDENT/DE-FACTO 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. 67 of 2024, of P.S. Choppadandi, Karimnagar District.

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 of all further proceedings including arrest of the petitioner/Accused

in F.I.R. No. 67 of 2024, of P.S. Choppadandi, Karimnagar District.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri K VENUMADHAV, Advocate for the Petitioner and the Assistant Public Prosecutor for the State of Telangana on behalf of the Respondent No.1 and None Appeared for the Respondent No.2 and 3

The Court made the following: ORDER

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.4379 of 2024

ORAL 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, to quash the proceedings against him in FIR No.67 of 2024 before the Choppadandi Police Station, Karimnagar District, for the offences punishable under Sections 290, 506 of the Indian Penal Code, 1860 and Section 3(1) (r) (s), 3 (2) (va) of the SCs/STs (POA) Act, 2015.

2. Heard learned counsel for the petitioner, as well as, the learned Assistant Public Prosecutor for respondent No.1 - State. None appeared on behalf of respondent No.2/*de facto* complainant.

3. Without going into the merits of the case, since the punishment prescribed for the offence alleged against the petitioner 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 29.04.2024 between 11:00 A.M., to 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 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.

¹(2014) 8 SCC 273

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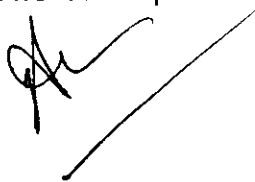
Sd/- A.V.S.PRASAD
ASSISTANT REGISTRAR

SECTION OFFICER

To

1. The Judicial First Class Magistrate(PDM) at Karimnagar District.
2. The Station House Officer, Choppadandi Police Station, Karimnagar District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
4. One CC to SRI. K VENUMADHAV, Advocate [OPUC]
5. Two CD Copies

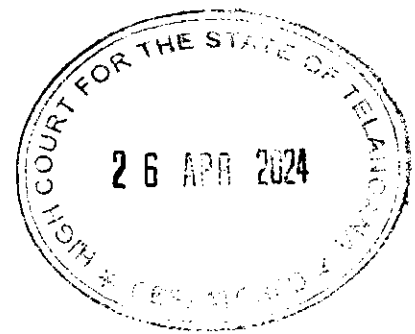
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HIGH COURT

DATED: 24/04/2024

**ORDER
CRLP.No.4379 of 2024**



**DISPOSING OF
THE CRL.PETITION**

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REMA
26/4/2024