

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

WEDNESDAY, THE THIRD DAY OF JANUARY
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI

CRIMINAL PETITION NO: 12800 OF 2023

Between:

Jagadam Venkanna, S/o.Late.Jagadam Chinnaiah, Aged about 77 years, occ.
Retired Headmaster, R/o.H.No.-4-18, Basheerabadh Village, Kammarpally Mandal,
Nizamabad District.

...PETITIONER/ACCUSED

AND

1. The State of Telangana,, Rep by Public Prosecutor of High Court, of Telangana,
through P.S.Kammarpally, Nizamabad District.
2. Gottam Srikanth, S/o.Muthanna, Aged about 28 years, occ. Agriculture,
R/o.Basheerabad Village, Kammarpally Mandal, Nizamabad District.

...RESPONDENTS/COMPLAINANTS

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 FIR.No.129/2023 dt.18.11.2023 of PS Kamarpally for
offences u/s.290, 323, IPC, 3(1) (r) (s) SC ST POA Act 2015, 3(2) (v) (a) SC ST
POA Act,

I.A. NO: 1 OF 2023

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.129/2023 dt.18.11.2023 of PS
Kamarpally including the appearance of the petitioner/Accused.

This Petition coming on for hearing,upon perusing the Memorandum of
Grounds of Criminal Petition and upon hearing the arguments of Smt R
Swarnalatha, Advocate for the Petitioner and the Asst. Public Prosecutor on
behalf of the Respondent No.1 and of the Respondent No.2 is not appearing in
personal or by Advocate.

The Court made the following: ORDER

HON'BLE SMT. JUSTICE T. MADHAVI DEVI

CRIMINAL PETITION No.12800 of 2023

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 F.I.R.No.129 of 2023 on the file of Kammarpally Police Station, Nizamabad District, registered for the alleged offences punishable under Sections 290 and 323 IPC and Sections 3(1)(r)(s) and 3(2)(V)(a) of the SCs & STs (POA) Act.

2. Heard learned counsel for the petitioner and learned Assistant Public Prosecutor for respondent No.1 – State.

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 to appear before the Investigating Officer on or before 15.01.2024 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 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 Magistrate. Further, it is made clear that the Police shall not take any coercive steps against the petitioner till the investigation is completed. The Police are directed to consider all the documents and the explanation submitted by the petitioner before them.

4. Accordingly, the Criminal Petition is disposed of.

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

(C2014)8 SCC 273

//TRUE COPY//

SD/- K.VENKAIAH
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Addl. Judicial First Class Magistrate at Armoor.
2. The Station House Officer, Kammarpally Police Station, Nizamabad District.
3. One CC to Smt R. Swarnalatha, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana (OUT)
5. Two CD Copies

BJLB
NS

VY

HIGH COURT

DATED:03/01/2024

ORDER

CRLP.No.12800 of 2023

CRIMINAL PETITION IS DISPOSED OF



8 copies
by
13/2/24