

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

**TUESDAY, THE THIRD DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 14690 OF 2024

Between:

Kanamarlapudi Madhav Ram Kumar, S/o Srinivasa Rao, aged about 32 years,
Occ: Business, R/o H-No7-8-8, Hare Ram Bazar, Ongole, Andhra Pradesh-
523002.

...PETITIONER/ACCUSED No.1

AND

1. The State of Telangana, Rep.by its Public Prosecutor, High Court of
Judicature at Hyderabad.
2. Inspector of Police, PS Miyapur Miyapur
3. Kapuluru Vamsikrishna Reddy, s/o Vijaya Reddy, age 28 years, occupation -
Job searching. My present address is first floor, Plot No4, Lake View Enclave,
Balaji Nagar, Miyapur, Hyderabad. Telangana, 500049. Permanent Address -
2-242, Kapu Street, Venkannapalem, Kota Mandal, Tirupati District, Andhra
Pradesh, 524411.

...RESPONDENT/S

Petition under Section 528 of B.N.S.S., praying that in the circumstances
stated in the Memorandum of Grounds of Criminal Petition, the High Court may
be pleased to quash the proceedings against the Petitioners/Accused in Cr.No.
1500/2024, on the file of PS Miyapur.

I.A. NO: 2 OF 2024

Petition under Section 528 of B.N.S.S., praying that in the circumstances
stated in the Memorandum of Grounds of Criminal Petition, the High Court may
be pleased to grant stay of all further proceedings including arrest of the
Petitioner/Accused in Cr.No.1500/2024 on the file of PS Miyapur, 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 P ACHUT RAMA SHASTRY, Advocate for the Petitioner and of Sri Veeramalla Jithender Rao, the Additional Public Prosecutor for the State of Telangana on behalf of the Respondent No.1 and 2 and None Appeared for the Respondent No.2,

The Court made the following: ORDER

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14690 of 2024

ORDER:

This Criminal Petition is filed under Section 528 Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking to quash the proceedings against him in Crime No.1500 of 2024 on the file of Miyapur Police Station, Cyberabad, registered for the alleged offences punishable under Sections 316(2), 318(4) read with 3(5) of the BNS.

2. Heard Sri P.Achut Rama Shastry, learned counsel for the petitioner and Sri Veeramalla Jithender Rao, learned Additional 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 17.12.2024 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 35(3) of the BNSS (previously, Section 41-A of Criminal Procedure Code, 1973) 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 submit his 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.

//TRUE COPY//

Sd/- MOHD. ISMAIL
ASSISTANT REGISTRAR


SECTION OFFICER

To

1. The VIII Additional Judicial Magistrate of First Class at Kukatpally.
2. The Station House Officer, Miyapur Police Station, Cyberabad.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
4. One CC to SRI. P ACHUT RAMA SHASTRY, Advocate [OPUC]
5. Two CD Copies

PR 

¹ (2014) 8 SCC 273

HIGH COURT
DATED: 03/12/2024

ORDER
CRLP.No.14690 of 2024



DISPOSING OF THE CRL.PETITION

8 copies
for
28/1/25