

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

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

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 15842 OF 2024

Between:

Maturi Narayana Rao @ Matturi Narayanarao, S/o. Matturi Nageshwara Rao,
Aged 44 years, Occ. Document Writer, R/o. 15-3-132/7, Sri Krishna Nagar,
Road No. 3, Tekullapally, Khanapuram Haveli (Rural), Khammam.

...Petitioner / Accused No 5

AND

1. The State of Telangana, by its Public Prosecutor of High Court for the State of Telangana at Hyderabad
2. Dr. Veera Venkata Rama Prasad, S/o. G. Yedukondalu, Aged 49 years, Occ. Doctor, R/o. Plot No. 101, Raja Rajeswari Homes, Creative Nagar, A.S. Rao Nagar, Secunderabad, Telangana - 500062

...Respondents / Defacto Complainant

Petition under Section 528 of BNSS 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 F.I.R. No. 440/2024 dt. 09.11.2024 on the file of P.S. Khammam I Town, Khammam District against the Petitioner/Accused No.5.

I.A. NO: 2 OF 2024

Petition under Section 528 of BNSS 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 in F.I.R. No. 440/2024 dt.09.11.2024 on the file of P.S. Khammam I Town, Khammam District against the Petitioner/Accused No.5 till the disposal of the Main Quash Petition in the interest of the justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri SATTAR Kiran Kanth Reddy, Advocate for the Petitioner and the Assistant Public Prosecutor on behalf of the Respondent No. 1.

The Court made the following Oral Order :

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.15842 of 2024

ORAL ORDER:

This Criminal Petition is filed under Section 528 Bharatiya Nagarik Suraksha Sanhita (for short 'BNSS') by the petitioner/accused No.5 seeking to quash the proceedings against him in FIR No.440 of 2024 before the Khammam I Town Police Station, registered for the alleged offences punishable under Sections 420 read with 34 of Indian Penal Code (for short 'IPC').

2. Heard Sri Kiran Kanth Reddy, learned counsel for the petitioner and 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 10.01.2025 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 BNSS previously section 41-A of Criminal Procedure Code 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/- A.V.S. PRASAD
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The I Additional Judicial First Class Magistrate at Khammam
2. The Station House Officer, Khammam I Town PS, Khammam District
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, Hyderabad [OUT]
4. One CC to Sri Sattar Kiran Kanth Reddy, Advocate [OPUC]
5. Two CD Copies

VA/gh



¹ (2014) 8 SCC 273

HIGH COURT

DATED:31/12/2024

ORDER

CRLP.No.15842 of 2024



DISPOSING OF THE CRLP

8
REMA
07/1/2025