

**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: 16132 OF 2024

Between:

Annepaga Kiran Kumar, S/o. Prakasa Rao, Aged 45 years, occ. consultant,
11-11-77, Ground floor, Telephone Colony, R.K. Puram, Kothapet, R.R. District.

...Petitioner/Accused No.1

AND

1. State of Telangana, Rep. by its Public prosecutor, High Court at Hyderabad.
2. Bairugonda Sreenu, S/o. Bairugonda Anjayya, Aged 25 years,
Occ. labourer/private employee, R/o. Behind Omni Hospital, Saroor Nagar,
Hyderabad, N/o. Kondapuram Village, Chaduru Mandal Nalgonda District.
508244

...Respondent/De-facto Complainant

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 in FIR No. 945/2024 on the file of PS Chaitanyapuri, Rachakonda District.

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 stay all the further investigation in FIR No. 945 of 2024 Dt. 27-11-2024 on the file of Chaitanyapuri P.S including the arrest of the petitioner/accused No.1.

I.A. NO: 1 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 dispense with the certified copies of FIR No. 945/2024 on the file of PS Chaitanyapuri, Rachakonda district.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri G Ravi Chandra Sekhar, Advocate for the Petitioner and the Asst. Public Prosecutor on behalf of the Respondent No.1 and none appeared for the Respondent No.2.

The Court made the following: ORDER

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.16132 of 2024

ORAL ORDER:

This Criminal Petition is filed under Section 528 Bharatiya Nagarik Suraksha Sanhita (for short 'BNSS') by the petitioner/accused No.1 seeking to quash the proceedings against him in FIR No.945 of 2024 before the Chaitanyapuri Police Station, Rachakonda District, registered for the alleged offences punishable under Sections 318(4) and 316(2) of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. Heard Sri G.Ravichandra Sekhar, 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/- MOHD. ISMAIL
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Station House Officer, Chaitanyapuri Police Station, Rachakonda District.
2. One CC to Sri. G Ravi Chandra Sekhar Advocate [OPUC].
3. Two CCs to Public Prosecutor, High Court for the State of Telangana. [OUT]
4. Two CD Copies.

YJR/gh



HIGH COURT

DATED:31/12/2024

ORDER

CRLP.No.16132 of 2024



DISPOSING OF THE CRIMINAL PETITION

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01/02/25
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