

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

CRIMINAL PETITION No.2746 OF 2019

DATED :29.05.2019

D.Vijender Reddy S/o Late Sri D.Vasudeva
Reddy, aged about 46 years, occ:Business,
R/o Plot No.23, Sai Nagar Colony, Nagole,
Hyderabad.

...

Petitioner

And

The State of Telangana,
Through P.S CCS, Hyderabad.

...

Respondent



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**CRIMINAL PETITION No.2746 OF 2019****ORDER:**

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.'), is filed by the petitioner/accused for grant of anticipatory bail in the event of his arrest in Crime No.14 of 2019 of Central Crime Station, Hyderabad, registered for the offences punishable under Sections 406 and 420 I.P.C.

2. Heard learned counsel for the petitioner/accused and the learned Additional Public Prosecutor representing the respondent/State. Perused the record.

3. The sum and substance of allegation against the petitioner in the crime report on the said date was that the petitioner being partner in the partnership firm misused the funds, indulged in criminal breach of trust and cheating.

4. The contention of learned counsel for the petitioner/accused is that what is alleged in the complaint is not correct, but, in fact, arbitration proceedings are pending against the complainant and without contesting the arbitration proceedings, a false case is registered against the petitioner/accused.

5. Learned Additional Public Prosecutor would submit that the investigation is not yet completed.

6. It is a case where the provisions of Section 41-A Cr.P.C. are attracted.

7. In view of the above, without going into the merits of the case, the Criminal Petition is disposed of directing the respondent/police to follow Section 41-A Cr.P.C. as well as the guidelines laid down by the Apex Court in ***Arnesh Kumar v. State of Bihar and another***¹ while investigating into the subject crime.

Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

MAY 29, 2019
YVL

P.NAVEEN RAO, J



¹ 2014 (2) ALT (CrI.) 457 SC

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