

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THURSDAY, THE THIRTIETH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY ONE

PRESENT
THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO: 7229 OF 2021

Between:

1. Gavinolla Madhusudhan Reddy, S/o Krishana Reddy, Aged 50 Years, Occ. Advocate, Flat No 11-12-34/106, Road No 1, Navya Arcade, R.K Puram, Saroor Nagar, Ranga Reddy District.
2. Katam Pradeep Kumar, S/o K. Srinivasulu Goud, Aged 54 Years, Occ. Business, R/O H.No 7-9, Edigi Geri, Devarakadra, Mahabubnagar District.
3. Aluganti Madhusudhan Reddy, S/o. A. Pratap Reddy, Aged 44 Years, Occ. Business, R/o. H.No 1-10-59, Street No 2, Flat No 201, Devi Homes, Ashok Nagar, Musheerabad, Hyderabad.

...PETITIONER/ACCUSED NO.2 TO 4

AND

1. T.Srinivas Reddy, S/o T.Hanumanth Reddy, Aged 55 Years, Occ. TRS party Mandal President, R/o. Kandhur Village, Addakal Mandal, Mahabubnagar District.

.....Respondent/ Defacto Complainant

2. The State of Telangana, Represented by Its Public Prosecutor, High Court at Hyderabad.

...RESPONDENT/COMPLAINANT

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 all further proceedings against the Petitioners in Crime No 108 of 2021 of Addakal Police Station Mahabubnagar District.

I.A. NO: 1 OF 2021

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 against the Petitioners in Crime No 108 of 2021 of Addakal Police Station Mahabubnagar District including arrest, pending disposal of the main case

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri K.SURENDER, Advocate for the Petitioners and of the Assistant Public Prosecutor (TG) on behalf of the Respondent No.2 and None Appeared for the Respondent No.1.

The Court made the following: ORDER

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.7229 OF 2021

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A2 to A4, to quash the proceedings in Crime No.108 of 2021 of Addakal Police Station, Mahabubnagar District, registered for the offences punishable under Sections 504 and 505(2) of IPC.

2. Heard the learned counsel for the petitioners/A2 to A4, the learned Assistant Public Prosecutor representing respondent No.2-State and perused the record.

3. Learned counsel for the petitioners/A2 to A4 would submit that though this Criminal Petition is filed to quash the proceedings against the petitioners/A2 to A4 in Crime No.108 of 2021 of Addakal Police Station, Mahabubnagar District, he restricts the prayer seeking a direction to the investigating agency to follow the procedure prescribed under Section 41A of Cr.P.C. and to follow the guidelines prescribed by the Apex Court in **Arnesh Kumar v. State of Bihar and another**¹.

4. The learned Assistant Public Prosecutor representing the respondent No.2-State conceded the request of the learned counsel for the petitioners/A2 to A4.

5. Under these circumstances, the Station House Officer, Addakal Police Station, Mahabubnagar District, is directed to follow the procedure laid down under Section 41A of Cr.P.C. before

¹ AIR 2014 SC 2756

arresting the petitioners/A2 to A4 and strictly adhere to the guidelines formulated by the Apex Court in **Arnesh Kumar v. State of Bihar's** case *supra*.

6. With the above direction, the Criminal Petition is disposed of.

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

//TRUE COPY//

Sd/-K.SAILESHI
ASSISTANT REGISTRAR

SECTION OFFICER

To

1. The Judicial First Class Special Mobile Court, Mahabubnagar.
2. The Station House Officer, P.S. Addakal, Mahabubnagar District.
3. Two CCs to the Public Prosecutor (TG), High Court for the State of Telangana, Hyderabad (OUT)
4. One CC to Sri K.Surender, Advocate (OPUC)
5. Two CD Copies
6. One Spare Copy

Kj.

HIGH COURT

DATED:30/09/2021



ORDER

CRLP.No.7229 of 2021

DISPOSING OF THE CRL.P.

ATM (B)
20/10/2021