

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**TUESDAY, THE TWENTY EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO. 2032 OF 2023

Between:

Perumandla Rajesh Kumar, S/o Basavaiah, age. 38 years, Occu. constable CRPF, II Battallion, Sukuma, Chattishgadh, R/o H.No 4-32, Gollapally village, Nallabelly mandal, Warangal district.

...PETITIONER/ACCUSED

AND

1. The State of Telangana, (S.H.O. Bhadrachalam Town) Rep.by Public Prosecutor, High Court of Judicature at Hyderabad
2. Kovvuri Ramadevi, W/o late Sridhar Reddy, Age: 38 years, Occu: Medical shop & RMP. R/o Ashoknagar new colony, Bhadrachalam.

...RESPONDENTS

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 the proceedings against the petitioner in Crime No. 01 of 2023, dated.04.01.2023 on the file of SHO Bhadrachalam Town, Bhadadri Kothagudem District..

I.A. NO: 1 OF 2023

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 all further proceedings against petitioner/accused in Crime No.

01 of 2023, dated 04.01.2023 on the file of S.H.O.Bhadrachalam Town, Bhadradi
Kothagudem District

This Petition coming on for hearing, upon perusing the Memorandum of
Grounds of Criminal Petition and upon hearing the arguments of
Sri DASI RAMESH Advocate for the Petitioner and of the Additional 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 SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.2032 OF 2023****ORDER:**

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioner-Accused to quash the proceedings against them in FIR No.01 of 2023 pending on the file of Station House Officer, Bhadrachalam Town Police Station, Bhadradri Kothagudem District. The offences alleged against him are under Sections 345D and 506 of Indian Penal Code (for short 'IPC').

2. Heard both sides.
3. After arguing sometime, learned counsel for the petitioner confined his prayer to direct the police to follow the procedure prescribed under Section 41-A of Cr.P.C. for the reason of the offences alleged against the petitioner are punishable less than seven (07) years.
4. In view of the aforesaid submission of the learned counsel for the petitioner, this Criminal Petition is disposed of directing

the Investigating Officer in respect of FIR No.01 of 2023 pending on the file of Station House Officer, Bhadrachalam Town Police Station, Bhadradri Kothagudem District, to strictly follow the procedure laid down under Section 41-A of Cr.P.C. and also the guidelines issued by the Hon'ble Supreme Court in **Arnesh Kumar v. State of Bihar**¹. The petitioner shall co-operate with the Investigating Officer by furnishing information and documents as sought by him in concluding the investigation.

Miscellaneous applications pending, if any, shall stand closed.

¹ (2014) 8 SCC 273

//TRUE COPY//

Sd/- G. SIREESHA
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Station House Officer, Bhadrachalam Town, Bhadradri Kothagudem District.
2. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
3. One CC to SRI DASI RAMESH, Advocate [OPUC]
4. Two CD Copies.

MP

HIGH COURT

DATED:28/02/2023



ORDER

CRLP.No.2032 of 2023

DIPOSING OF THE CRIMINAL PETITION

Handwritten signature and date: 14/03/2023