



IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE THIRTEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 9264 OF 2024

Between:

1. Valluru Anuradha, W/o. V. Prasad, Aged about 59 years, Occ. Retired Service, R/o. H.No. 8-3-898/26, Flat No. 302, Encee Residency, Nagarjuna Nagar, Yellareddyguda, Hyderabad.
2. Madhu Pavani Madala, W/o. Korrapati lakshmi Sandeep, Aged about 33 years, Occ. Private Service, R/o Plot No. 181, Pragathi Enclave, Miyapur, Ranga Reddy District.
3. Sree Mahalakshmi Korrapati, W/o U. Balakrishna, Aged about 37 years, Occ. Private Service, H.No. 2-25, 230, THPLNE, Sammamish Washington, USA.
4. Pinnaka Megha Sai Sree, D/o Pinnaka Hanumaiah, Aged about 27 years, Occ. Private Service, R/o Plot No. 181, Pragathi Enclave. Miyapur, Ranga Reddy District.

Petitioners 2 to 4 are represented by their GPA Holder M Ranga Rao S/o M Narayana Rao, aged about 65 years, Occ. Retired service, R/o Plot No. 181, Pragathi Enclave, Miyapur, Ranga Reddy District.

...PETITIONERS/ACCUSED Nos. 5 to 8

AND

1. G. Jyothi, W/o Yadaiah, Aged about 38 years, Occ. Household, R/o Jalpally Village, Saroornagar Mandal, Ranga Reddy District.

(Defacto Complainant)

2. The State of Telangana, Through Maheshwaram PS, Represented by Public Prosecutor, High Court of Telangana, Hyderabad.

...RESPONDENTS

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 FIR No. 285 of 2021 on the file of Maheshwaram Police Station, Cyberabad (JCJ cum XXVII MM, Cyberabad at Maheshwaram). so far as against the petitioners/Accused Nos. 5 to 8.



2024:TSHC:29014

I.A. NO: 1 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 STAY all further proceedings FIR No. 285 of 2021 on the file of Maheswaram Police Station, Cyberabad (JCJ cum XXVII MM, Cyberabad at Maheswaram), so far as against the petitioners/Accused Nos. 5 to 8, pending disposal of main Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Sreenivasa Rao Velivela, Advocate for the Petitioners and the Sri E. Ganesh, Assistant Public Prosecutor on behalf of the Respondent No.2 and of None appeared for the Respondent No. 1.

The Court made the following: ORDER



2024:TSHC:29014

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.9264 of 2024

ORDER:

This Criminal Petition is filed under Section 528 Bharatiya Nagarik Suraksha Sanhita (for short 'BNSS') by the petitioners, who are arrayed as accused Nos.5 to 8, seeking to quash the proceedings against them in Crime No.285 of 2021 on the file of Maheshwaram Police Station, Rachakonda Commissionerate, registered for the alleged offences punishable under Sections 420, 467, 471 read with 34 of IPC, 3(1)(f)(g) SC ST, 156(3) Cr.P.C.

2. Heard Sri Sreenivasa Rao Velivela, learned counsel for the petitioners and Sri E. Ganesh, learned Assistant Public Prosecutor for respondent No.2 – State.

3. As seen from the record, the averments of the petition do not constitute offences under Section 467 of IPC. Hence, this Court deems it appropriate to direct the petitioners to appear before the Investigating Officer and in turn, the Investigating Officer is directed to follow the procedure laid down under Section 41-A Cr.P.C. (presently, Section 35(3) of BNSS and also the guidelines formulated by the Hon'ble Supreme Court of India



in *Arnesh Kumar v. State of Bihar*¹ scrupulously. However, the petitioners shall co-operate with the Investigating Officer as and when required by furnishing information and the petitioners shall submit their defense 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.

Sd/- A.V.S. PRASAD
ASSISTANT REGISTRAR

SECTION OFFICER

//TRUE COPY//

To,

1. The JCJ-CUM XXVII Additional Metropolitan magistrate Cyberabad Maheshwaram.
2. The Station House Officer, Maheshwaram Police Station, Rachakonda.
3. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad. (OUT)
4. One CC to Sri Sreenivasa Rao Velivela, Advocate [OPUC]
5. Two CD Copies

DL/gh

¹ (2014) 3 SCC 273



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HIGH COURT

DATED:13/08/2024

ORDER

CRLP.No.9264 of 2024



CRIMINAL PETITION IS DISPOSED OF

(8) Copies

For
20/8/24