

ITEM NO.25

COURT NO.6

SECTION II

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 2997/2018  
(Arising out of impugned final judgment and order dated 22-02-2018  
in CRLP No. 2141/2018 passed by the High Court of Judicature at  
Hyderabad for the State of Telangana and the State of Andhra  
Pradesh)

T. SAI BABA

Petitioner(s)

VERSUS

K. SUDHAKAR REDDY &amp; ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.48841/2018-EXEMPTION FROM FILING  
O.T. and IA No.48839/2018-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

Date : 13-04-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI  
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s)

Ms.Shobha Ramamoorthy, Adv.  
Mr.Sri Ram J.Thalapathy, Adv.  
Mr.V.Adhimoolam, Adv.  
Mr.Shilp Vinod, Adv.  
Mr.Pushkin Rajkumar, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

Learned counsel for the petitioner has referred to  
judgment of this Court in State of Telangana vs. Habib  
Abdullah Jeelani & Ors. [(2017) 2 SCC 779] and contends  
that in a petition filed under Section 482 CrPC, the High  
Court could not have granted relief to the respondent,  
while dismissing and refusing to quash the said  
proceedings. It is submitted that the High Court could  
not have given such a direction against arrest by stating  
that the petitioner shall cooperate in the investigation  
without arresting the accused.

Strictly legally speaking, the petitioner may be detained. However, having regard to the facts of the instant case, we are of the opinion that such a relief given to the respondent is not unwarranted and therefore we accord the same relief to the respondent in exercise of our power under Article 142 of the Constitution.

The special leave petition is disposed of accordingly.

Pending applications, if any, stand disposed of.

(Ashok Raj Singh)  
Court Master

(Anita Rani Ahuja)  
Court Master