

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

TUESDAY, THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 1070 OF 2026

Between:

Inapalcuthika Lokesh Varma, S/o L Vasudeva Raju, age 21 years, Occ Zepto delivery boy, Rio Flat No.89, Kakatiya Hills, Nizampet, Kukatpally, Medchal Malkajgiri Dist. N/o Lalacheruvu, Rajamandri, East Godavari Dist, A.P.

.....PETITIONER/ACCUSED

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court of Telangana, at Hyderabad
2. Sri Arige Nitish Sai, S/o A. Ramulu, age. 23 years, caste. padmashali, occ. private job Rio H-No.19-52 Bombay colony, RamchandraPuram, Sangareddy District.

.....RESPONDENTS/COMPLAINANT

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 proceedings in F.I.R No. 511 of 2025, Dt. 14.08.2025 on the file of PS Ramchandra Puram, Ranga reddy District, against the Petitioner / Accused

I.A. NO: 2 OF 2026

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 grant interim stay of all further proceedings in FIR No. 511 of 2025, Dt. 14.08.2025 on the file of PS RamchandraPuram, RangaReddy District, including appearance and attendance of the petitioner / Accused, pending disposal of the above Criminal petition

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri NEELAM BHARGAVA RAM, Advocate for the Petitioner and the SRI. JITHENDER RAO VEERAMALLA, Additional Public Prosecutor on behalf of the Respondent No.1 and of None Appeared for the Respondent No. 2

The Court made the following: ORDER

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 1070 of 2026

DATE: 31.03.2026

Between :

Inapakuthika Lokesh Varma

.....Petitioner/Accused

AND

The State of Telangana,
Rep. by its Public Prosecutor,
High Court of Telangana
at Hyderabad and another

....Respondents

: O R D E R :

This criminal petition has been filed by the petitioner/accused seeking to quash the proceedings in F.I.R.No.511 of 2025 of Ramchandrapuram Police Station, Cyberabad, registered for the offence under Section 303(2) of the Bharatiya Nyaya Sanhita, 2023.

2. Heard Mr. Neelam Bhargava Ram, learned counsel for the petitioner, and Mr. Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for respondent No.1 State.

3. With the consent of both counsel, the criminal petition is disposed of at the admission stage.

4. Learned counsel for the petitioner submitted that the petitioner has not committed the offence and he has been falsely implicated in

the present crime based on a confessional statement given in other crimes. He further submitted that the offence levelled against the petitioner is punishable with imprisonment of less than seven years. However, the Investigating Officer, without following the mandatory procedure prescribed under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS'), the guidelines issued by the Apex Court in **Arnesh Kumar Vs. State of Bihar**¹, is proceeding with the investigation and the same is contrary to law.

5. *Per contra*, learned Assistant Public Prosecutor submitted that the petitioner is a chronic offender. There are specific allegations levelled against the petitioner and he is an accused in more than fourteen (14) crimes. The police have recovered nine (9) vehicles from the possession of the petitioner. When the Investigating Officer attempted to issue notice under Section 35(3) of the BNSS, the petitioner evaded receiving the same. Hence, the petitioner is not entitled to seek quashing of the proceedings in F.I.R.No.511 of 2025.

6. Learned counsel for the petitioner, by way of reply, submitted that the petitioner will appear before the Investigating Officer on or before 13.04.2026 and on such appearance, the Investigating Officer may be directed to follow the due procedure as contemplated under the provisions of the BNSS.

¹(2014) 8 SCC 273

7. Having considered the rival submissions made by the respective parties and upon perusal of the material available on record including remand report and remand case diary in Crime No.4 of 2026 of Gachibowli Police Station, it reveals that the petitioner is an accused in fourteen (14) crimes involving similar offence. Even according to the learned counsel for the petitioner, the petitioner came to know about the pendency of the crimes when he was arrested in Crime No.4 of 2026 of Gachibowli Police Station. The offence levelled against the petitioner is punishable with an imprisonment below seven years. Even according to the learned Additional Public Prosecutor, the Investigating Officer has followed the due procedure as contemplated under the provision of the BNSS.

8. Taking into consideration the peculiar facts and circumstances of the case, and in view of the submissions made by the respective parties, the petitioner/accused is directed to appear before the Investigating Officer on or before 13.04.2026, and on such appearance, the Investigating Officer is directed to issue notice under Section 35(3) of BNSS and follow the guidelines issued by the Apex Court in **Arnesh Kumar** (*supra*).

9. It is made clear that the petitioner is entitled to submit a reply/explanation along with the documents, which are available

with him, to the Investigating Officer and he shall cooperate with the investigation.

10. If the petitioner fails to appear before the Investigating Officer, within the stipulated time, the Investigating Officer is entitled to take action against him in accordance with law.

11. Subject to the above directions, the Criminal Petition is disposed of.

Miscellaneous applications, pending if any, shall stand closed.

**SD/- MOHD.ISMAIL
DEPUTY REGISTRAR**

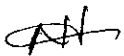
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SECTION OFFICER

To,

1. The Special Judicial Magistrate First Class, Prohibition and Excise Offences at Sanga Reddy District
2. The Station House Officer, Ramchandra Puram, Police Station Ramchandra Puram, Ranga redy District
3. One CC to SRI NEELAM BHARGAVA RAM Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
5. **Two CD Copies**

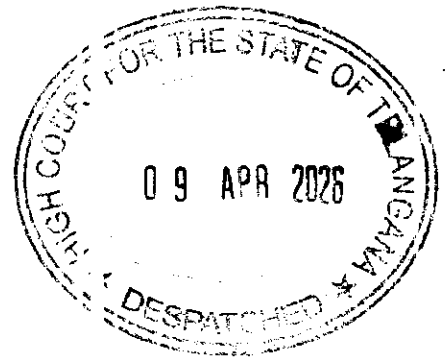
VM/PSL



HIGH COURT

DATED:31/03/2026

ORDER
CRLP.No.1070 of 2026



DISPOSING THE CRIMINAL PETITION

⑧ NT
8/4/26