

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
MONDAY, THE THIRTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO
CRIMINAL PETITION NO: 4532 OF 2026

Between:

Rudravaram Gandla Siva Maruthi, S/ o. Late R.G. Virupaksha Reddy, Age. 58 years, Occ. Assistant Commissioner of Police, Station House Officer, Cyber Crimes, Basheerbagh, Hyderabad. R/o. Flat G-9, Sai Rajendra Prestige, Street No.5, Lane No.2, West Maredpalli, Nehru Nagar Post, Secunderabad - 500026

Petitioner/Accused

AND

The State of Telangana, Represented through Public Prosecutor, High Court for the State of Telangana at Hyderabad.

Respondent No.1/Complainant

Petition under Section 528 of BNSS, praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to call for the records relating to proceedings in C.C. No. 1787 of 2026 pending before the IX Addl. Chief Judicial Magistrate, Hyderabad, and quash the same against the Petitioner/Accused;

IA NO: 2 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the criminal petition, the High Court may be pleased to DIRECT the IX Addl. Chief Judicial Magistrate to furnish the Enclosures/documents in C.C. No. 1787 of 2026, on the file of the IX Addl. Chief Judicial Magistrate, Hyderabad, pending disposal of CRLP 4532 of 2026, on the file of the High Court.

IA NO: 3 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to grant STAY of all further proceedings against the Petitioner, including his appearance, in C.C. No. 1787 of 2026, on the file of the IX Addl. Chief Judicial Magistrate, Hyderabad, pending disposal of CRLP 4532 of 2026, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of SRI G. ASHOK

REDDUY, Counsel representing SRI B PAVAN Advocate for the Petitioner, PUBLIC PROSECUTOR for the Respondent, the Court made the following.
ORDER

Learned Additional Public Prosecutor takes notice on behalf of respondent.

Mr. G. Ashok Reddy, learned counsel representing Mr. B. Pavan, learned counsel for the petitioner, submits that the petitioner is discharging his duties as Station House Officer, Cyber Crimes, Basheerbagh, Hyderabad. The learned trial Court issued a notice on 24.02.2026 directing the petitioner to submit his explanation. Pursuant thereto, the petitioner submitted his detailed explanation on 23.02.2026. In spite of the same, the learned trial Court has taken *suo moto* cognizance against the petitioner on 03.03.2026 for the offence under Section 199 of the Bharatiya Nyaya Sanhita, 2023 (for short, "BNS"), and issued summons directing the petitioner to appear on 25.03.2026. The petitioner has not committed any such offence; hence, the ingredients of the offence under Section 199 of the BNS are not attracted against him. The petitioner is not the Investigating Officer; he is only discharging his duties as SHO. It is further submitted that the petitioner has never received a copy of the summons in Form No. I. Though the list of enclosures is mentioned in the said Form No. I, the petitioner has not received any of the documents referred to therein. The petitioner filed a copy application vide C.A. No. 3773 of 2026 on 12.03.2026, requesting the trial Court to furnish two sets of documents mentioned therein; however, the same was returned on 13.03.2026. Thereafter, the petitioner filed another copy application vide C.A. No. 3765 of 2026 on 16.03.2026 through his counsel, requesting certified copies of the cognizance order, the statement of Ms. Priyanka, Junior Assistant of the concerned Court, and the office notice vide S.R. No. 1883 of 2026 dated 28.02.2026. The same was returned on 17.03.2026 on the ground that the petitioner must follow Section 207 of the Cr.P.C., corresponding to Section 230 of the BNSS. The said provisions of law are not attracted in the present case. Hence, the continuation of the proceedings against the petitioner is a clear abuse of the process of law.

Taking into consideration the above submissions, this Court is of the view that the matter requires a detailed examination.

Post on 28.04.2026.

Till such time, there shall be an interim stay of all further proceedings against the petitioner/accused in C.C.No.1787 of 2026 on the file of the IX Additional Chief Judicial Magistrate, Hyderabad.

Sd/- P.C.SULEKHA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. IX Addl. Chief Judicial Magistrate, Hyderabad.
2. The Station House Officer, Cyber Crimes Police Station, Basheerbagh, Hyderabad.
1. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad.(OUT)
2. One CC to SRI. B PAVAN Advocate [OPUC]
3. One spare copy

HIGH COURT

JSRJ

DATED:30/03/2026

POST ON 28.04.2026

ORDER

CRLP.No.4532 of 2026

STAY

