

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

**TUESDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 4459 OF 2026

Between:

1. Madipalli Sadanand, S/o Late Madipalli Sammaiah, Aged about 48 years, Occ. Barber Shop.
2. Smt. Madipalli Madhavi, W/o Sadanand, Aged about 43 years, Occ. House Keeping Work
3. Smt. Sowmya, W/o Shiva Shankar, Aged about 26 years, Occ. House Wife,
4. Smt. Swapna, W/o. Late Siddu, Aged about 33 years, Occ. House Keep Work
5. Raju, S/o. Late Sammalah, Aged about 46 years, Occ. Barber Shop, All are residents of H.No. 3-5-24/19, Bakshiguda, HB Colony, Moula-Ali, Medchal-Malkajgiri District, Hyderabad

...PETITIONER/ACCUSED

AND

1. The State of Telangana, Rep. by its Through Public Prosecutor, High Court of Telangana at Hyderabad.
2. XXXXXXXX, XXXXXXXXXXXXX

...RESPONDENT/COMPLAINANTS

Petition under Section 437/438/439/482 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 in Crime No. 230/2026 on the file of Malkajgiri Police Station, Medchal-Malkajgiri District, insofar as the petitioners/A-2 to A-6 are concerned, for the offences punishable under Sections 329(3), 115(2), 352 and 351(2) of the Bharatiya Nyaya Sanhita, and pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.

I.A. NO: 1 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 dispense with the filing of the certified copy of the FIR in Crime No. 230 of

2026 on the file of Malkajgiri Police Station, Medchal-Malkajgiri District, registered for the offences punishable under Sections 329(3), 115(2), 352 and 351(2) of the Bharatiya Nyaya Sanhita, and pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.

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 stay all further proceedings, including arrest of the petitioners/A-2 to A-6, in Crime No. 230 of 2026 on the file of Malkajgiri Police Station, Medchal-Malkajgiri District, for the offences punishable under Sections 329(3), 115(2), 352 and 351(2) of the Bharatiya Nyaya Sanhita, in the interest of justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri PALLY VINOD KUMAR REDDY , Advocate for the Petitioner and the Public Prosecutor (TG/AP) on behalf of the Respondent No. and of Sri_Advocate for the Respondent No.

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.4459 of 2026

Date: 21.04.2026

Between:

Madipalli Sadanand and four (04) others

...Petitioners

AND

The State of Telangana,
Represented by Public Prosecutor,
High Court of Telangana at Hyderabad and another

...Respondents

ORDER

This Criminal Petition is filed seeking to quash the proceedings in F.I.R. No.230 of 2026 of Malkajgiri Police Station, Medchal-Malkajgiri District, wherein the petitioners are arrayed as accused Nos.2 to 6 for the offences punishable under Sections 69, 329(3), 115(2), 352, and 351(2) of the Bharatiya Nyaya Sanhita, 2023 (for short, "BNS").

2. Heard Mr. Pally Vinod Kumar Reddy, learned counsel for the petitioners, Mr.Bhargavakrishna.L, learned counsel appearing for respondent No.2 and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor, appearing for the respondent No.1 - State.

3. Learned counsel for the petitioners submitted that the petitioners have not committed the alleged offences and that they have been falsely implicated in the present case. The allegations levelled in the complaint are purely civil in nature. Respondent No.2 has implicated the petitioners in the present case by making omnibus allegations solely on the ground that they are the mother and sister of accused No.1. He further submitted that the offences levelled against the petitioners are 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') and without following the guidelines formulated by the Hon'ble Supreme Court in *Arnesh Kumar Vs. State of Bihar*¹, is proceeding further in the matter and the same is contrary to law.

4. *Per contra*, learned counsel appearing for respondent No.2 submitted that there are specific allegations levelled against the accused No.1 that he gave false promises of marriage to the victim and developed physical relationship and that the petitioners also refused to perform the marriage of the accused No.1 with the

¹(2014) 8 SCC 273

victim and the petitioners are not entitled for any relief in this petition.

5. Learned Additional Public Prosecutor also reiterates the very same submissions made by the learned counsel appearing on behalf of respondent No.2. However, Investigating Officer will follow the procedure contemplated under Section 35(3) of the BNSS and also the guidelines formulated by the Apex Court in *Arnesh Kumar* (supra) and cooperate with the investigation. In reply, the learned counsel for the petitioners submits that the petitioners will appear before the Investigating Officer on or before 30.06.2026 and submit their grievances before the Investigating Officer.

6. Having considered the rival submissions made by the respective parties and upon perusal of the material available on record, it reveals that the offences levelled against the petitioners are punishable with imprisonment of less than seven years and the major allegation in respect of the offence under Section 69 are levelled against accused No.1 only. Even according to the learned Additional Public Prosecutor, the Investigating Officer will follow the procedure contemplated under Section 35(3) of the BNSS and

also the guidelines formulated by the Apex Court in *Arnesh Kumar* (supra). In view of the same, the petitioners are directed to appear before the Investigating Officer on or before 30.06.2026, on such appearance the Investigating Officer is directed to follow the procedure contemplated under Section 35(3) of the BNSS, 2023. It is needless to mention, that the petitioners are entitled to put forth their grievances to the notice under Section 35 (3) of BNSS, 2023.

7. Accordingly, the Criminal Petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

SD/- K.BHAVANI SWAMY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The State of Telangana, Rep. by its Through Public Prosecutor, High Court of Telangana at Hyderabad.
2. XXXXXXXX, XXXXXXXXXXXXX
3. One CC to SRI. PALLY VINOD KUMAR REDDY Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR High Court for the State of Telangana, at Hyderabad [OUT]
5. Two CD Copies

KA

[Signature]

HIGH COURT

CC-TODAY

DATED: 21/04/2026

ORDER

CRLP.No.4459 of 2026



DISPOSING OF THE CRLP

② copies
PVR
04/05/2026