

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

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

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 4741 OF 2026

Between:

Dongari Venkataram, S/o. Late Muthilingam, Aged about 72 years, Occ.
Retired Lecturer, R/o. H.No.1-6-102/3/3/2, Vidya Nagar, Suryapet Town.

...Petitioner/Accused

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court for the
State of Telangana at Hyderabad.

...Respondent/Complainant

2. Smt. Barishetti Sandhya, W/o. Koteswar Rao, Aged about 38 years, Occ.
Govt. Teacher, R/o. Flat No.301, Land Mark Residency Apartment, LIC Office
Backside, North Road, Vidyanagar, Suryapet 508 213.

...Respondent/Defacto 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
call for the records in C.C.No.919 of 2025 on the file of Principal Judicial Principal
First Class Magistrate Court at Suryapet, and the same may be quashed

I.A. NO: 1 OF 2026

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 of all further proceedings in C.C.No.919 of 2025 on the file of Principal Judicial
Principal First Class Magistrate Court at Suryapet, pending finalization of the
Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of
Grounds of Criminal Petition and upon hearing the arguments of Mr NARENDAR
JALLI, Advocate for the Petitioner and Mr. JITHENDER RAO VEERAMALLA, the
Additional Public Prosecutor on behalf of Respondent No.1 and None appeared for
the Respondent No.2

The Court made the following: ORDER

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

THE HONOURABLE SRI JUSTICE J.SRI ENIVAS RAO

CRIMINAL PETITION No.4741 of 2026

Date: 01.04.2026

Between:

Dongari Venkataram

..Petitioner/accused

AND

The State of Telangana,
Rep. by its Public Prosecutor,
High Court for the State 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 C.C.No.919 of 2025 on the file of the Principal Judicial First Class Magistrate Court at Suryapet, for the offences punishable under Sections 74, 79, 353(1) and 351(2) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BN S').

2. Heard Mr. Narender Jalli, learned counsel for the petitioner, and Mr. Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1.

3. Learned counsel for the petitioner submitted that the petitioner has not committed the alleged offences and has been falsely implicated in the present case. Even according to the allegations

made in the complaint or in the final report, the ingredients of the offences under Sections 74, 79, 353(1) and 351(2) of the BNS are not attracted against the petitioner. He further submitted that the petitioner and respondent No.2 are mere relatives, there is a consensual relationship between them and there are several other disputes, which are pending between them. The petitioner is a retired lecturer and to damage his reputation, respondent No.2 filed the present complaint. The Investigating Officer recorded the statements of LWs.1 to 5. LWs.2 to 4 are husband, father and mother of LW.1-respondent No.2 respectively and LWs.5 to 7 are the near relatives of respondent No.2. The Investigating Officer, solely based upon their statements, filed the final report and their statements cannot be considered on the ground that they are close relatives of respondent No.2. Hence, continuation of the proceedings against the petitioner is a clear abuse of the process of law.

4. *Per contra*, learned Additional Public Prosecutor submitted that there are specific allegations levelled against the petitioner. The Investigating Officer recorded the statements of LWs.1 to 7 and all the witnesses have specifically mentioned the role of the petitioner. Whether the petitioner has committed the offence or not has to be adjudicated and decided by the trial Court after a full-fledged trial.

Hence, the petitioner is not entitled to seek quashing of the proceedings at this stage.

5. Having considered the rival submissions made by the respective parties and upon perusal of the material available on record, it reveals that respondent No.2 filed a complaint on 10.03.2025 and in the said complaint, there are specific allegations levelled against the petitioner that he sent WhatsApp messages to her and she was examined as LW.1 and her husband, father and mother were examined as LWs. 2 to 4 and LWs.5 to 7 as the circumstantial witnesses. The witnesses in their statements specially stated the role of the petitioner. Whether, the statements of LWs.1 to 7 recorded under Section 161 of Cr.P.C. are true or not, the same have to be adjudicated and decided by the trial Court. Hence, this Court does not find any ground to quash the proceedings against the petitioner/accused in C.C.No.919 of 2025, while exercising the powers conferred under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

6. However, taking into consideration the age of the petitioner, the presence of the petitioner/accused in C.C.No.919 of 2025 on the file of the Principal Judicial First Class Magistrate Court at Suryapet, is dispensed with, subject to the condition that he shall be represented through his counsel on each and every date of hearing.

If the presence of the petitioner is required, he shall appear before the trial Court. In case of his non-appearance on the specific date fixed by the trial Court for his appearance, the trial Court is entitled to proceed with the matter, in accordance with law.

7. With the above directions, the criminal petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

SD/- MOHD.ISMAIL
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Judicial First Class Magistrate Court at Suryapet
2. The Station House Officer, Suryapet II TN Police Station, Suryapet
3. One CC to Mr. NARENDAR JALLI Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR High Court for the State of Telangana, at Hyderabad [OUT]
5. Two CD Copies

RC/PSL

Bm

HIGH COURT

DATED: 01/04/2026

CC Today

ORDER

CRLP.No.4741 of 2026



The Criminal Petition is Disposed of

⑧ copies

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