

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

**THURSDAY, THE NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 4732 OF 2026

Between:

Mahesh Maikoti @ M. Mahesh Kumar, S/o Maikoti Basappa, aged about 34 years, Occ Govt. Employee as Secondary Grade Teacher, R/o H.No. 2-3-42, Mangalpet Village, Near Hanuman Temple, Narayanakhed Mandal, Sangareddy District, Telangana-502286

AND

...PETITIONER/ACCUSED

1. The State of Telangana, Represented by its Public Prosecutor High Court of Telangana through Manoor Police Station.
2. Ramulu Dandu, S/o. Balaiah, aged about 40 years, Occ Private Individual, R/o. H.No. 2-97, Maikode Village, Manoor Mandal, Sangareddy District, Telangana 502286

...RESPONDENTS/COMPLAINANTS

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 FIR in Crime. No. 14 of 2026 dated 20.03.2026 on the file of P.S, Manoor, Sangareddy District, Telangana.

I.A. NO: 2 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 grant stay all further proceedings pursuant to FIR in Crime No. 14 of 2026 dated 20.03.2026 on the file of P.S., Manoor, Sangareddy District, Telangana and

consequently direct that no coercive steps, including arrest, shall be taken against the petitioner.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri V. Ravindra Chary, Advocate for the Petitioner, Sri Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondent No. 1.

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.4732 of 2026

Date: 09.04.2026

Between:

Mahesh Maikoti

...Petitioner

AND

The State of Telangana and another

...Respondents

ORDER

This Criminal Petition has been filed seeking to quash the proceedings in Crime No.14 of 2026 on the file of Manoor Police Station, Sangareddy District, wherein the petitioner was arrayed as sole accused for the offences punishable under Sections 127 (2), 115(2), 351(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS') and Sections 3(1)(r)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short 'SC and ST (POA) Act').

2. Learned Additional Public Prosecutor submits that pursuant to the order dated 31.03.2026, the concerned SHO has served notice to respondent No.2 about filing of the present criminal petition and listing of the matter and placed a copy of the said

intimation. In spite of the said intimation, respondent No.2 has not chosen to enter appearance.

3. Heard Mr. V.Ravindra Chary, learned counsel for the petitioner and Mr. Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1.

4. With their consent, the criminal petition is disposed of at the stage of admission.

5. Learned counsel for the petitioner submits that the petitioner has not committed the alleged offences and has been falsely implicated in the present case. He further submits that the petitioner has never abused respondent No.2 in the name of caste. Even according to the allegations made in the complaint, the ingredients of the offences under 127 (2), 115(2), 351(2) read with 3(5) of the BNS and Sections 3(1)(r)(s), 3(2)(va) of the SC and ST (POA) Act, are not attracted against the petitioner. He further submitted that the offences levelled against the petitioner are punishable with imprisonment of less than seven years. 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 Bihar¹, is proceeding further in the matter and the same is contrary to law.

6. *Per contra*, learned Additional Public Prosecutor submitted that 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) and requested this Court to direct the petitioner to cooperate with the investigation.

7. Learned counsel for the petitioner submits that the petitioner will appear before the Investigating Officer on or before 18.04.2026 and submit their reply/explanation along with relevant documents to the Investigating Officer.

8. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the offences levelled against the petitioner are punishable with imprisonment of less than seven years. Even according to the learned Additional Public Prosecutor, the Investigating Officer will follow the procedure contemplated under

¹(2014) 8 SCC 273

Section 35(3) of the BNSS and also the guidelines formulated by the Apex Court in *Arnesh Kumar* (supra).

9. In view of the above, the petitioner is directed to appear before the Investigating Officer on or before 18.04.2026 and submit reply/explanation along with the documents, which are available with them, to the Investigating Officer. The Investigating Officer is entitled to follow the procedure contemplated under Section 35(3) of the BNSS and follow the guidelines issued by the Apex Court in *Arnesh Kumar* (supra).

10. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications, pending if any, shall stand closed.

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SD/- MOHD.ISMAIL
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Narayankhed
2. The Station House Officer, Manoor Police Station, Sangareddy District
3. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri V. Ravindra Chary, Advocate [OPUC]
5. Two CD Copies

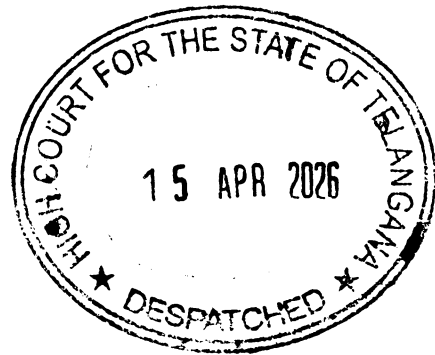
VH/PSL

HIGH COURT

DATED: 09/04/2026

ORDER

CRLP.No.4732 of 2026



**DISPOSING OF THE
CRIMINAL PETITION**

8/NT
15/4/26