

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

MONDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 5388 OF 2026

Between:

1. Beeravelly Praveen Rao, S/o. Bhuma Rao, Aged 52 years, Occ: Business, R/o. Flat. No. 201, Ratna Enclave, Quthubullapur mandal, Jeedimetla, K.V. Rangareddy.
2. Beeravelly Lakshmi, W/o. Praveen Rao, Aged 50 years, Occ: House wife, R/o. Flat. No. 201, Ratna Enclave, Quthubullapur mandal, Jeedimetla, K.V. Rangareddy.
3. Beeravelly Akshaya Sai, D/o. Praveen Rao, Aged 19 years, Occ: Student, R/o. Flat. No. 201, Ratna Enclave, Quthubullapur mandal, Jeedimetla, K.V. Rangareddy.

...PETITIONER/ACCUSED No.2 to 4

AND

1. The State of Telangana, Represented by its Public Prosecutor High Court of Telangana Hyderabad Through Petbasheerabad Police Station.

RESPONDENT

2. XXXXXXXXXXXX, XXXXXXXXXXXXXXXX

...RESPONDENT/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 call for the records and quash the same in the proceedings in FIR. No. 55 of 2026 on the file of Petbasheerabad Police Station, Cyberabad District.

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 stay all further proceedings in FIR. NO. 55 of 2026 on the file of Pet basheerabad Police Station, Cyberabad District, 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 Mohana Sai baba representing Sri R. Chandrashekar Reddy, Advocate for the Petitioner and the Additional Public Prosecutor for the State of Telangana on behalf of the Respondent No.1 and None appeared for 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.SREENIVAS RAO

CRIMINAL PETITION No.5388 of 2026

Date: 27.04.2026

Between:

Beeravelly Praveen Rao and two others

...Petitioners/accused Nos.2 to 4

AND

The State of Telangana and another

...Respondents

ORDER

This Criminal Petition has been filed seeking to quash the proceedings in F.I.R.No.55 of 2026 of Petbasheerabad Police Station, Cyberabad District, wherein the petitioners were arrayed as accused Nos.2 to 4, for the offences punishable under Sections 69, 126(2), 351(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. Heard Mr. Mohana Sai Baba, learned counsel representing Mr. R. Chandrashekar Reddy, learned counsel for the petitioners and Mr. Jithendar Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1.

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 only on the ground that petitioner Nos.1 and 2 are parents and petitioner No.3 is sister of accused No.1, by making omnibus allegations against them. Even according to the allegations made in the complaint, the ingredients of the offences under Sections 69, 126(2), 351(2) read with 3(5) of the BNS are not attracted against the petitioners. He further submitted that the offences levelled against the petitioners 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'), as well as the guidelines formulated by the Hon'ble Apex Court in *Arnesh Kumar v. State of Bihar*¹, is proceeding with the matter, which is contrary to law. Hence, the continuation of the proceedings against the petitioners is a clear abuse of process of law.

4. *Per contra*, the learned Additional Public Prosecutor submitted that the ingredients of the offence under Section 69 of the BNS are attracted against accused No.1. Accused No.1 was already arrested on 15.01.2026. All the other offences leveled against the petitioners are punishable with imprisonment less than years. He further submitted that the Investigating Officer will follow the procedure prescribed under Section 35(3) of the BNSS and the guidelines issued by the Hon'ble

¹ (2014) 8 SCC 273

Apex Court in **Arnesh Kumar** (*supra*) and requested this Court to direct the petitioners to cooperate with the investigation.

5. 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 petitioners are punishable with imprisonment of less than seven years. Even according to the learned Additional Public Prosecutor, the Investigating Officer wants to follow the procedure as contemplated under Section 35(3) of the BNSS, as well as the guidelines formulated by the Hon'ble Apex Court in **Arnesh Kumar** (*supra*).

6. In view of the above, the Investigating Officer is directed to follow the procedure as contemplated under the provisions of the BNSS, 2023. It is needless to mention that petitioners/accused Nos.2 to 4 are entitled to put forth their grievance before the Investigating Officer and to submit the documents, which are in their custody.

7. Accordingly, the criminal petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

SD/- B REKHA RANI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The IX Additional Judicial First Class Magistrate Cyberabad at Medchal.
2. The Station House Officer, Petbasheerabad Police Station, Cyberabad District.
3. Two CCs to Public Prosecutor High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri. Ramavaram Chandrashekar Reddy, Advocate [OPUC]
5. Two CD Copies

Qd.

CC-TO PAX

HIGH COURT

DATED: 27/04/2026

ORDER

CRLP.No.5388 of 2026



DISPOSING OF THE CRL.PETITION

8 copies

PVC
01/05/2026