



[330

2026:TSHC:5321

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

**MONDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 6000 OF 2026

Between:

Sri L. Vittal Reddy, S/o. Sri Narasimha Reddy, aged about 65 years,
Occ. Agriculture R/o.H.No.1-7, Gowrelli Village, old Hayathnagar mandal,
present Abdullapurmet mandal Ranga Reddy district.

...Petitioner/Accused No.1

AND

1. State of Telangana, represented by Public Prosecutor High Court, Hyderabad.
2. G. Sucharitha, D/o. G. Chandra Shekar Reddy aged about 47 years,
Occ.Housewife R/o.H.No.3-4-759, Barkatpura Hyderabad. 9390896969

...Respondents/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 quash the proceedings in Crime No.459/2025 on the file of Nagole Police Station against the Petitioner/Accused No.1 for the alleged offences punishable under Sections 329(3), 324(3), 352, 351(2) r/w 3(5) of Bharatiya Nyaya Sanhita, 2023, as illegal, violative of law and procedure, against the settled principles of law supported by judicial precedents, in the interest of justice.

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 pass an order staying all further proceedings including arrest of the Petitioner/Accused No.1 in Crime No.459/2025 on the file of Nagole Police Station, Ranga Reddy district, pending disposal of this Criminal Petition, in 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 Sardar Jasbeer Singh, Advocate for the Petitioner and Sri Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondent No.1 and of Sri Peri Prabhakar, Advocate for the Respondent No.2.

The Court made the following: ORDER



2026:TSHC:5321

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.6000 of 2026

Date: 20.04.2026

Between:

L. Vittal Reddy

...Petitioner/Accused

No.2

AND

The State of Telangana and another.

...Respondents

ORDER

This Criminal Petition has been filed seeking to quash the proceedings in Crime No.459 of 2025 on the file of Nagole Police Station, Rachakonda, wherein the petitioner was arrayed as accused No.2 for the offences punishable under Sections 329(3), 324(3), 352, 351(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS').

2. Heard Mr. Sardar Jasbeer Singh, learned counsel for the petitioner, Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1 and Mr. Peri Prabhakar, learned counsel for respondent No.2.

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

4. 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 nature of the allegations levelled against the petitioner are purely civil in nature. Even according to the allegations made in the complaint, the ingredients of the offences under Sections 329(3), 324(3), 352, 351(2) read with 3(5) of the BNS 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 Bihar*¹, is proceeding further in the matter and the same is contrary to law.

5. *Per contra*, learned counsel for respondent No.2 submitted that there are specific allegations levelled against the petitioner to attract the ingredients of the offences under Sections 329(3), 324(3), 352, 351(2) read with 3(5) of the BNS. Hence, the petitioner is not entitled to seek quashing of the proceedings at this stage.

¹(2014) 8 SCC 273



6. On the other hand, learned Additional Public Prosecutor, basing on the written instructions furnished by the Sub-Inspector of Police, Nagole Police Station, Rachakonda Commissionerate, dated 20.04.2026, submitted that LW Nos.1 and 2 were examined and the Investigating Officer already served notice under Section 35(3) of the BNSS to accused No.1 on 23.12.2025 and when the Investigating Officer is trying to serve notice to the petitioner, the petitioner is not coming forward to the Police Station to receive the same. 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).

7. Learned counsel for the petitioner submits that the petitioner will appear before the Investigating Officer on or before 27.04.2026 and submit his 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 has already served notice under Section 35(3) of the BNSS to accused No.1 on 23.12.2025 and the Investigating Officer will follow the very same procedure contemplated under Section 35(3) of the BNSS and also the guidelines formulated by the Apex Court in *Arnesh Kumar* (supra), in respect of the petitioner/accused No.2.

9. In view of the above, the petitioner is directed to appear before the Investigating Officer on or before 27.04.2026 and on such appearance, the Investigating Officer is directed to follow the due procedure as prescribed under the provisions of the BNSS and the guidelines issued by the Hon'ble Apex Court in *Arnesh Kumar* (supra). It is needless to mention that the petitioner is entitled to put forth his grievance before the Investigating Officer and he is also entitled to submit the documents, which are in his custody.

10. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications, pending if any, shall stand closed.

SD/-K. BHAVANI SWAMY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The I Additional Junior Civil Judge-cum-I Additional Judicial Magistrate of First Class, LB Nagar, Ranga Reddy
2. The Station House Officer, Nagole Police Station, Rachakonda
3. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
4. One CC to Sri Sardar Jasbeer Singh, Advocate [OPUC]
5. One CC to Sri Peri Prabhakar, Advocate [OPUC]
6. Two CD Copies

ABK/BA

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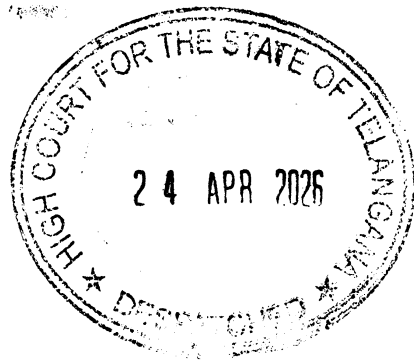
2026:TSHC:5321

HIGH COURT

DATED: 20/04/2026

ORDER

CRLP.No.6000 of 2026



DISPOSING OF THE CRIMINAL PETITION

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