



**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: 5960 OF 2026

Between:

Thumolla Dattatri, S/o. Muthanna, (As per FIR ThummolaDattadri, S/o. Muttenna) Age. 46 years, Occ: Municipal Chair Person of Bhainsa Town and Farmer, R/o. H.No.1-1-97, Ganesh Nagar, Bhainsa, Nirmal District, Telangana-504103

...Petitioner/Accused No.6

AND

1. The State of Telangana, Rep. by the it's Public Prosecutor, High Court at Hyderabad (Through SHO, Armoor, Nizamabad)
2. G. Apparao, S/o. Not known, Age. Not known, Occ. S.I of Police, Armoor P.S., Nizamabad district.

...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 FIR No.206 of 2026 on the file of P.S Armoor, Nizamabad District, as against the petitioner/A.6, 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 stay all further proceedings against the Petitioner/A.6, consequent to issuance of FIR No.206 of 2026 on the file of P.S Armoor, Nizamabad District, including taking any coercive steps, pending disposal of this Criminal Petition 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 Vinod Kumar Deshpande, Senior Counsel representing Ms. A.Tejaswi, Advocate for the Petitioner and Sri Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of the 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.SREENIVAS RAO
CRIMINAL PETITION No.5960 of 2026

Date: 20.04.2026

Between:

Thumolla Dattatri

...Petitioner/Accused No.6

AND

The State of Telangana,
Rep. by its Public Prosecutor,
High Court at Hyderabad and another

...respondents

ORDER

This Criminal Petition is filed seeking to quash the proceedings in F.I.R.No.206 of 2026 of Armoor Police Station, Nizamabad District, wherein, the petitioner was arrayed as accused No.6, for the offences punishable under Sections 3 and 4 of the Telangana Gaming Act, 1974.

2. Heard Mr. Vinod Kumar Deshpande, learned Senior Counsel representing Ms. A.Tejaswi, learned counsel for the petitioner and Mr.V.Jithendar Rao, learned Additional Public Prosecutor for respondent No.2.

3. With the consent of both the parties, 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 offence and has been falsely implicated in the



present case, even he was not present at the scene of offence. Even according to the allegations made in the complaint, the ingredients of the offences under Sections 3 and 4 of the TSGA are not attracted against the petitioner. He further submitted that the petitioner was not present at the scene of offence. He further submitted that the offences alleged against the petitioner 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 BNSS, the guidelines issued by the Apex Court in *Arnesh Kumar vs. State of Bihar*¹, implicated the petitioner as accused for the offence under Sections 3 and 4 of the TSGA and is proceeding with the matter. Hence, continuation of the proceedings against the petitioner is a clear abuse of the process of law.

5. *Per contra*, learned Additional Public Prosecutor submitted that whether the petitioner has committed any offence or not, the same has to be revealed during the course of investigation, especially investigation is under progress. At this stage, the petitioner is not entitled to seek quashing of the proceedings.

6. Having considered the rival submissions made by the respective parties and upon perusal of the material available on record, it reveals

¹ (2014) 8 SCC 273



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that the offences levelled against the petitioner are punishable with imprisonment up to seven years.

7. In view of the above, Hence, the Investigating officers is directed to follow the procedure as contemplated under section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS'), and follow the guidelines issued by the Hon'ble Apex court in *Arnesh Kumar vs State of Bihar*²,

9. Accordingly, the Criminal Petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

Note: This Order is Amended as per Court Order dated 24.04.2026 in I.A.No.3 of 2026 in CRLP.No.5960 of 2026.

The Judgment dated 20.04.2026 in CRLP.No.5960 of 2026, the 7th Paragraph has been replaced as per Court Order.

SD/- M. OSMAN ALI BAIG
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Station House Officer, Armour Police Station, Nizamabad
2. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
3. One CC to Ms. A. Tejaswi, Advocate [OPUC]
4. Two CD Copies

ABK



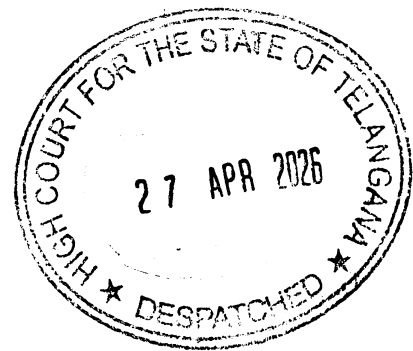
2026:TSHC:5674

HIGH COURT

DATED: 20/04/2026

ORDER

CRLP.No.5960 of 2026



DISPOSING OF THE CRIMINAL PETITION

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