

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

TUESDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION NO: 6014 OF 2026

Between:

1. Dr. Nagarjuna Ankuri, S/o Bheemaiah, Aged about 44 years, Occ. Doctor, R/o H.No.4-5/116, Pratap Nagar Colony, Kismatpur, Ranga Reddy District, Telangana State.
2. Arjun Ankuri, S/o Nagaiah, Aged about 39 years, Occ. Business, R/o Madharam Village, Urkonda Mandal, Nagarkurnool District, Telangana State.
3. Shekhar Ankuri, S/o Nagaiah, Aged about 31 years, Occ. Business, R/o Madharam Village, Urkonda Mandal, Nagarkurnool District, Telangana State.
4. Hanmanthu Ankuri, S/o Krishnaiah, Aged about 29 years, Occ. Business, R/o Madharam Village, Urkonda Mandal, Nagarkurnool District, Telangana State.
5. Sudershan Ankuri, S/o Krishnaiah, Aged about 38 years, Occ. Business, R/o Madharam Village, Urkonda Mandal, Nagarkurnool District, Telangana State.
6. Ramesh Ankuri, S/o Jangaiah, Aged about 33 years, Occ. Business, R/o Madharam Village, Urkonda Mandal, Nagarkurnool District, Telangana State.
7. Narsimha, S/o Yellaiah, Aged about 33 years, Occ. Business, R/o Madharam Village, Urkonda Mandal, Nagarkurnool District, Telangana State.
8. Parsharamulu, S/o Laxmaiah, Aged about 37 years, Occ. Business, R/o Madharam Village, Urkonda Mandal, Nagarkurnool District, Telangana State.
9. Anjaneyulu, S/o Chinna Yellaiah, Aged about 31 years, Occ. Business, R/o Madharam Village, Urkonda Mandal, Nagarkurnool District, Telangana State.
10. Raju, S/o Venkataiah, Aged about 46 years, Occ. Business, R/o 12-312/1/A/1, Vidya Nagar, Kalwakurthy, Nagarkurnool District, Telangana State
11. Anjaneyulu, S/o Jangaiah, Aged about 37 years, Occ. Business, R/o Madharam Village, Urkonda Mandal, Nagarkurnool District, Telangana State.
12. Parsharamulu, S/o Laxmaiah, Aged about 32 years, Occ. Business, R/o Madharam Village, Urkonda Mandal, Nagarkurnool District, Telangana State.
13. Srinu Kommu, S/o Parsharamulu, Aged about 40 years, Occ. Business, R/o Madharam Village, Urkonda Mandal, Nagarkurnool District, Telangana State
14. Ussain Ankuri, S/o Eadamaiah, Aged about 46 years, Occ. Business, R/o Madharam Village, Urkonda Mandal, Nagarkurnool District, Telangana State

15. Kashinath, S/o Laxmaiah, Aged about 30 years, Occ. Student, R/o Madharam Village, Midjil Mandal, Nagarkurnool District, Telangana State.
16. Ravi Krishna, S/o Venkataiah, Aged about 28 years, Occ. Business, R/o Madharam Village, Urkonda Mandal, Nagarkurnool District, Telangana State.
17. Bandigaiah, S/o Arraiah, Aged about 49 years, Occ. Business, R/o Madharam Village, Urkonda Mandal, Nagarkurnool District, Telangana State.
18. Ganesh Kommu, S/o Parsharamulu, Aged about 41 years, Occ. Business, R/o Yashoda Nagar, Bairamalguda, Ranga Reddy District, Telangana State.
19. Balraju Kalla, S/o Chinna Jangaiah, Aged about 32 years, Occ. Business, R/o Madharam Village, Urkonda Mandal, Nagarkurnool District, Telangana State.
20. Rajaiah Ankuri, S/o Jangaiah, Aged about 42 years, Occ. Business, R/o Madharam Village, Urkonda Mandal, Nagarkurnool District, Telangana State.
21. Saidulu, S/o Sailu, Aged about 36 years, Occ. Business, R/o Madharam Village, Urkonda Mandal, Nagarkurnool District, Telangana State.
22. Khadhar Abdul, S/o Jahangeer, Aged about 56 years, Occ. Business, R/o Madharam Village, Urkonda Mandal, Nagarkurnool District, Telangana State.

...PETITIONER/ACCUSED

AND

1. The State of Telangana, Rep. by the Public Prosecutor, High Court at Hyderabad
2. Ravi Shankar Anmangandla, S/o Late Anantharamulu, Aged about 51 years, Occ. Business, R/o Madharam Village, Urkonda Mandal, Nagarkurnool District, Telangana State

...Respondent/Defacto Complainant

Petition under Section of 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 against the Petitioners/Accused No 1 to 22 in FIR No.45 of 2026 dated 23.03.2026 on the file of Urkonda Police Station, Nagarkurnool 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 including the arrest of the Petitioners/Accused No 1 to 22 in FIR

No.45 of 2026 dated 23.03.2026 on the file of Urkonda Police Station, Nagarkurnool 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 Mr. G. Bandaiah, Advocate for the Petitioners and the Mr. 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.6014 of 2026

Date: 21.04.2026

Between:

Dr.Nagarjuna Ankuri and 21 others

...Petitioner

AND

The State of Telangana, and another

...Respondents

ORDER

This Criminal Petition has been filed seeking to quash the proceedings in FIR No.45 of 2026 of Urkonda Police Station, Nagarkurnool District, wherein the petitioners were arrayed as accused Nos.1 to 22, for the offences punishable under Sections 318(4), 329(3) and 324(4) r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. Heard Mr.G.Bandaiah, learned counsel for the petitioners and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor, appearing for the respondent No.1 – State.

3. With the consent of both the learned counsel, the criminal petition is disposed of at the admission stage.

4. Learned counsel for the petitioners submitted that the petitioners have not committed the alleged offences and have been falsely implicated in the present case. The allegations levelled against the petitioners are purely civil in nature. The father of respondent No.2/*de-facto* complainant had himself alienated the property through a Sadabainama as early as in the year 1992. Subsequently, the vendor executed a gift settlement deed in favour of Bandigaiah in respect of the said land. The petitioners and others have constructed a small temple in the name of Renuka Yellamma and have been performing poojas. The name of the said temple has also been recorded as the owner of the property in the revenue records. He further submitted that respondent No.2, having no manner of right over the property, has filed the present complaint by giving a criminal colour. He further submitted that the offences levelled against the petitioners are punishable with imprisonment for a term 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.

5. *Per contra*, the learned Additional Public Prosecutor submitted that there are specific allegations against the petitioners that they have trespassed into the subject property of respondent No.2, and when they tried to occupy the same, respondent No.2 lodged the present complaint. Whether the allegations levelled in the complaint are true or not has to be revealed during the course of investigation. However, the offences levelled against the petitioners are punishable with imprisonment for a term of less than seven years, and when the Investigating Officer tried to serve notice under Section 35(3) of the BNSS, the petitioners did not come forward to receive the notice and have not cooperated with the investigation.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that there are specific allegations against the petitioners that they are trying to occupy the subject property as claimed by respondent No.2. The petitioners are claiming rights over the land based on an alleged Sadabainama dated 01.02.1992, said to have been executed by the father of respondent No. 2, and also on the

¹ (2014) 8 SCC 273

basis of the revenue records. Whether the allegations levelled in the complaint are true or not has to be revealed during the course of investigation, particularly as the investigation is still in progress. The record further 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 intends to follow the procedure prescribed under the provisions of the BNSS.

7. In view of the same, the Investigating Officer is directed to follow the provisions of the BNSS and follow the guidelines issued by the Apex Court in *Arnesh Kumar* supra. It is needless to mention that the petitioners are entitled to place their grievance before the Investigating Officer by raising all the pleas and are also entitled to submit the documents which are available with them.

8. Accordingly, the Criminal Petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

SD/-K. BHAVANI SWAMY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

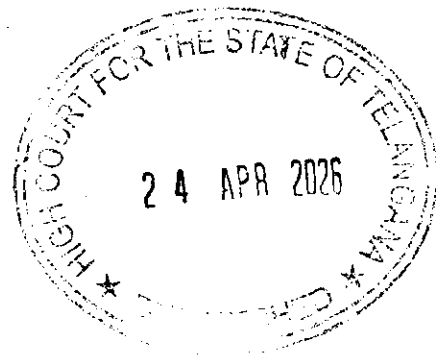
To,

1. The Judicial First Class Magistrate at Kalwakurthy.
2. The Station House Officer, Urkonda Police Station, Nagarkurnool District.
3. Two CCs to Public Prosecutor High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Mr. G. Bandaiah, Advocate [OPUC]
5. Two CD Copies

DL/BA 

HIGH COURT

DATED: 21/04/2026



ORDER

CRLP.No.6014 of 2026

CRIMINAL PETITION IS DISPOSED OF

⑧ NT
24/4/26.