

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THURSDAY, THE TWENTY THIRD DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL REVISION CASE NO: 421 OF 2026

Criminal Revision Case filed under Section 438 and 442 of BNSS against the order dated 16.04.2026 in CrI.Revision Petition S.R.773/2026 on the file of the Court of the Principal District and Sessions Judge At Mahabubabad preferred against the order date 07-04-2026 in CrI.M.P.No. 764 of 2025 in D.V.C.No. 18 of 2014 on the file of the Court of the Judicial Magistrate of First Class, Torruru.

Between:

Lingala Sri Sri, S/o. Ramulu, Aged about 35 years, Occ. Unemployed, R/o. Beerishetti Gudern Village, Narsimhulapet Mandal, Warangal District

...REVISION PETITIONER /RESPONDENT No. 1

AND

1. The State of Telangana, Represented by its Public Prosecutor, High Court at Hyderabad.
2. Lingala Jyoti, S/o. Lingala Sri Sri D/o. Veeraiah, Aged about 23 years, Occ . Unemployed, R/o. Beerishetti Gudern Village, Narsimhulapet Mandal, Warangal District,

Presently Residing at her parental House at Gundepudi Village, Mariepada Mandal, Warangal District

3. Lingala Puneeth S/o. Lingala Sri Sri, Aged about 2 years, Respondent No.3 is being a minor Represented by his natural mother ie., Respondent No.2. R/o. Beerishetti Gudern Village, Narsimhulapet Mandal, Warangal District,

Presently Residing at her parental House at Gundepudi Village, Mariepada Mandal, Warangal District.

...RESPONDENTS/PETITIONERS

I.A. NO: 1 OF 2026

Petition under Section 528 of BNSS praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the learned District and Sessions Judge to receive CrI.Rev.Petition S.R.No.773/2026 on dated: 16.04.2026 on file of the Principal District and Sessions Judge at Mahabubabad.

I.A. NO: 2 OF 2026

Petition under Section 528 of BNSS praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the order of the learned Jr Civil Judge cum JFCM Thorrur dated.07-04-2026 in CrI.MP.No. 144 of 2026 in CrI.MP.No. 764/2025 in DVC.No.18/2014.

Counsel for the Petitioner: Sri Vijay Ashrit

**Counsel for the Respondent No. 1: Sri Ramachandra Reddy,
Additional Public Prosecutor**

The Court made the following: ORDER

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL REVISION CASE No.421 of 2026

DATE: 23.04.2026

Between:

Lingala Sri Sri
S/o Ramulu.

.... Petitioner/
Respondent No.1

AND

The State of Telangana,
Rep.by Public Prosecutor,
High Court at Hyderabad
and 2 others.

.... Respondents

ORDER

This Criminal Revision Case is filed under Sections 438 & 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner-respondent No.1 aggrieved by the docket order, dated 16.04.2026 in Crl.Revision (SR) No.773 of 2026 passed by the learned Principal District and Sessions Judge, Mahabubabad, whereunder and whereby, a Criminal Revision Petition is filed aggrieved by the order 07.04.2026 passed by the learned Junior Civil Judge-cum-Judicial Magistrate of First Class, Torruru in Crl.M.P.No.144 of 2026 in Crl.M.P.No.764 of 2025 in D.V.C.No.18 of 2014,

recalling Non-Bailable Warrant subject to condition of payment of Rs.15,000/- on or before 17.04.2026. The learned Principal District and Sessions Judge, Mahabubabad *vide* docket order, dated 16.04.2026 held as follows:

“How revision petition is maintainable when already Criminal appeal is pending before this Court on the same?
Hence, may be returned.”

2. Heard Sri Vijay Ashrit, learned counsel for the petitioner and Sri M.Ramachandra Reddy, learned Additional Public Prosecutor appearing for respondent No.1.

3. Learned counsel for the petitioner would submit that no warrant could have been issued by the learned Junior Civil Judge-cum-Judicial Magistrate of First Class, Thorrur in CrI.M.P.No.144 of 2026 in CrI.M.P.No.764 of 2025 in D.V.C.No.18 of 2014 as it is against the decision of the Hon'ble Supreme Court in **Alisha Berry v. Neelam Berry**¹, wherein it is stated that no warrants can be issued except to enforce the protection order. He further submits that no notice was issued to the petitioner in CrI.M.P.No.764 of 2025 in D.V.C.No.18 of 2014 whereunder the petitioner was

¹ Transfer Petition (Criminal) No.856/2024

directed to pay Rs.15,000/- against which the petitioner filed an appeal and the same is pending. He also submits that every order passed in the Domestic Violence Cases (DVC) appeal provision is available and learned Principal District and Sessions Judge, Mahabubabad erroneously returned the Criminal Revision Petition and hence, he prays to set aside the impugned order.

4. Having regard to the submissions made by learned counsel for the petitioner and taking into consideration the judgment of the Hon'ble Supreme Court, the Criminal Revision Case is allowed setting aside the order, dated 16.04.2026 in Criminal Revision (SR) No.773 of 2026 on the file of learned Principal District and Sessions Judge, Mahabubabad.

Miscellaneous petitions, if any, pending shall stand closed.

SD/- V HARI PRASAD
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial Magistrate of First Class, Toruru
2. The Principal District and Sessions Judge At Mahabubabad
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
4. One CC to Sri Vijay Ashrit, Advocate [OPUC]
5. Two CD Copies

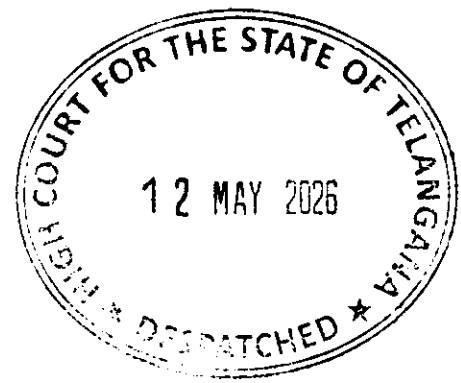
VII/GNK

HIGH COURT

DATED: 23/04/2026

ORDER

CRLRC.No.421 of 2026



ALLOWING THE CRL.R.C

8 NJ
12/5/26