



2026:TSHC:13653
[3303]

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

**TUESDAY, THE FIFTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 7432 OF 2026

Between:

1. Tandu Shekhar Reddy, S/o. Gal Reddy, Aged 60 Years, Occ: Business, R/o. near 1st Railway Gate, Gadwal Town, Telangana.
2. Thirumalachary, S/o. Suryababu, Aged 33 Years, Occ: Agriculture, R/o. Mogalravalcheruvu Village, Itilyal Mandal, Jogulamba Gadwal District.
3. Shathapadi Shanthaiah, S/o. Yellappa, Age: 58 Years, Occ: Coolie, R/ o. Madhanapoor Village and mandal, Wanaparthy, Telangana.
4. Yerukali Papanna, S/o. Chinna Hanumanthu, Age: 41 Years, Occ: Coolie, R/o. Madhanapoor Village and mandal, Wanaparthy, Telangana.
5. Perapogu Lokesh, S/o. Vijayaraju, Aged 30 Years, Occ: Driver, R/o. Udandapuram Village, Itikyla Mandal, Gadwal District, Telangana.
6. Samsan @ Ramesh, S/o. Prabhudas, Age: 25 Years, Occ: Driver, R/o. Puduru Village, Gadwal Mandal, Telangana.

...Petitioners/Accused No. 1 to 6

AND

1. The State of Telangana, Rep. through the Public Prosecutor, High Court of Telangana at Hyderabad.
2. G.Revathi, W/o. Late malyaswarnyprakash Reddy, Aged 62 Years, Occ: Dist. Civil Supply Officer, Wanaparthy District

...Respondents

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 CC No. 18/2020 on the file of Judicial First class Magistrate at Wanaparthy District.



2026:TSHC:13653

I.A. NO: 1 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 grant stay of all further proceedings including arrest in CC No. 18/2020 on the file of Judicial First class Magistrate at Wanaparthy District

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri K Rathanga Pani Reddy , Advocate for the Petitioners and Sri Jithender Rao Veeramalla, the Additional Public Prosecutor on behalf of the Respondent No. 1 and none appeared for the Respondent No. 2.

The Court made the following: ORDER



2026:TSHC:13653

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.7432 of 2026

Date: 05.05.2026

Between:

Tandu Shekhar Reddy and others

...Petitioners

AND

The State of Telangana and another

...Respondents

ORDER

This Criminal Petition has been filed by the petitioners/accused Nos.1 to 6 seeking to quash the proceedings in C.C. No.18 of 2020, on the file of Judicial First Class Magistrate at Wanaparthi District, wherein the petitioners were arrayed as accused Nos.1 to 6 for the offences punishable under Section 406 and 420 of Indian Penal Code and Section 7 of the Essential Commodities Act, 1955 (for short 'EC Act')..

2. Heard Mr. K. Rathanga Pani Reddy, learned counsel for the petitioners and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1.



3. The specific allegation against the petitioners/accused Nos.1 to 6 is that they have procured PDS rice from the beneficiaries at cheaper rate to sell the same for profit and on 11.06.2018, the petitioners were found in possession 140 bags of 70 quintals of PDS rice.

4. Learned counsel for the petitioners would submit that without there being any complaint from any beneficiary, alleging that the rice was procured deceptively or with a criminal intent and charging the petitioners for prosecution is untenable and improper. The allegations, even taken at their face value cannot be sustained against the petitioners. Further, this Court, in CrI.P.No.5709 of 2019, while considering the same situation, categorically observed that the offences alleged against the petitioners therein could not be continued and accordingly quashed the proceedings. The petitioners are also entitled to the same relief and hence prayed to quash the proceedings against the petitioners.

5. The learned Additional Public Prosecutor submits that as per prosecution, the offences said to have been committed by the petitioners is cheating and violation of Section 7 of the Essential



Commodities Act, 1955 (for short 'EC Act') and requested to pass appropriate orders.

6. Section 7 of the EC Act contemplate that any person contravenes with the production, supply, distribution and trade of essential commodities, is punishable. As per the prosecution, the petitioners have procured PDS rice from the beneficiaries after supply from the dealer.

7. A Coordinate Bench of this Court in Crl.P.No.7227 of 2025 has considered the identical facts and observed that:

"There is no averment indicating that the petitioner in any way deceptively induced the beneficiaries to part with the supplied PDS rice or the beneficiary entrusted the PDS rice purchased by them with the petitioner and they dishonestly misappropriated or converted to their own use or used it in violation of a lawful direction or contract. In the absence of essential factors, on the face of prosecution, this Court finds it to be a fit case to exercise the jurisdiction under Section 528 of BNSS, 2023. Thus, continuance of proceedings against the petitioner is abuse of process of law".

8. The facts and circumstances of the present case also similar to those in the above case and hence, this Court finds it to be a fit case to exercise jurisdiction under Section 528 of BNSS by applying the same analogy and to quash the proceedings against the petitioners herein.



2026:TSHC:13653

4

9. Accordingly, the Criminal Petition is allowed and the proceedings in C.C. No.18 of 2020, on the file of learned Judicial First Class Magistrate at Wanaparthy District, against the petitioners/accused Nos.1 to 6, are hereby quashed.

Pending miscellaneous applications, if any, shall stand closed.

**SD/- V.HARI PRASAD
DEPUTY REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial First class Magistrate at Wanaparthy District.
2. The Station House Officer, Wanaparthy Police Station, Wanaparthy District.
3. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri K Rathanga Pani Reddy, Advocate [OPUC]
5. Two CD Copies

Sa/KA



2026:TSHC:13653

HIGH COURT

DATED: 05/05/2026

ORDER

CRLP.No.7432 of 2026



ALLOWING THE CRIMINAL PETITION

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