

(SHOW CAUSE NOTICE BEFORE ADMISSION)
THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE TWENTY NINTH DAY OF JULY
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE ANIL KUMAR JUKANTI
CRIMINAL PETITION NO: 8140 OF 2025

Between:

Sneha Priya, W/o. T Durgesh

Petitioner/Accused No.2

AND

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

Respondent No.1/Complainant

2. B. Venugopal, Sub- Inspector of Police PS Punjagutta Hyderabad.

Respondent No.2/De-facto Complainant

WHEREAS the Petitioner above named through her Advocate Sri S.M. SAIFULLAH presented this Petition under Section 528 of BNSS, praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to quash the proceedings in Cr.No.483/2025 which is pending on the file of PS Panjagutta against the Petitioner/A-2 herein;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri S.M.SAIFULLAH, Advocate for the Petitioner and Sri Surepalli Prashanth, Assistant Public Prosecutor for the Respondent No.1, directed issue of notice to the Respondent No.2, herein to show cause as to why this CRIMINAL PETITION should not be admitted. ✓

You viz:

B. Venugopal, Sub- Inspector of Police PS Punjagutta Hyderabad.

are directed to show cause on or before **05.08.2025** to which date the case stands posted as to why in the circumstances set out in the petition and the memorandum of grounds filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted.

IA NO: 2 OF 2025

Petition under Section 528 of BNSS, praying that in the circumstances stated in the grounds filed in support of the criminal petition, the High Court may be pleased to grant stay of all further proceedings in Crime No.483/2025 which is on

the file of PS Panjagutta including arrest of the petitioner/A-2, pending disposal of CRLP No.8140 of 2025, on the file of the High Court.

The Court made the following: ORDER:

This criminal petition is filed to quash proceedings in Crime No.483 of 2025 on the file of Panjagutta Police Station, Hyderabad.

Heard Mr. S.M.Saifullah, learned counsel for petitioner/accused No.2 and Mr. Surepalli Prashanth, learned Assistant Public Prosecutor for the respondent – State. Perused the material on record.

On the basis of a complaint by SI of Police, Panjagutta, addressed to the Inspector of Police, Panjagutta Police Station, FIR bearing No.483 of 2025, dated 24.06.2025, is registered under Sections 143 and 144(2) of BNS and Sections 3, 4 & 5 of PIT Act, 1956.

The gist of complaint is that on receipt of credible information, SI of Police placed such information before ACP and obtained authorization memo for conducting raid on the Blue Bells SPA. Information received was that one person was running a brothel house by procuring female traffic victims and allowing them to participate in sexual intercourse with customers and collecting amount from each customer. That, SI along with his personnel raided the place as there was no time to obtain Search Warrants and the delay might cause disappearance of accused and material evidence. At the reception of the SPA, they met one Sapa Vanitha, she explained about packages and services when asked for service, she took one of the personnel into a room along with a condom packet. Immediately, the identity was disclosed to victim and the purpose of visit. The victim revealed about the identity and stated that owner of SPA was one Thirumala Rao and the Manager was Priya. It is reflected in the complaint that the victim further stated that the owner and manager were allowing customers by collecting money of Rs.1,500/- to 2,000/- and allowed them to have sexual intercourse with her and her owner was paying monthly Rs.15,000/- to her. That, 2 mobile phones and 7 unused condoms were also seized. The seizure report (in the presence of panchas) was prepared and

pasted at the spot. The SI requested the Inspector of Police to take action and that the owner and manager were absconding.

Learned counsel for petitioner/accused No.2 submitted that as per Section 13 of PIT Act, for each area a Special Police Officer has to be specified by the State Government for dealing with offences under PIT Act and such Officer shall not be below the rank of Inspector of Police.

Learned counsel further invited the attention of this Court to Section 15 of the PIT Act that whenever the Special Police Officer has reasonable grounds that an offence punishable under PIT Act, has been or is being committed in any premises has the power to carryout search without a warrant.

It is further submitted that in the present case, it is SI of Police, who has entered premises, seized mobile phones and condoms under the cover of seizure report in the presence of panchas. It is submitted that the SI of Police is not the Special Police Officer appointed by State Government for dealing with an offence as it is clearly reflected under Sub-Section (2) of Section 13 of PIT Act that Special Officer shall not be below the rank of Inspector of Police and that in the present case, it is SI of Police.

Learned counsel has stated that the said acts of the SI of Police are not in accordance with law and that institution of the case and investigation suffers from material irregularity and illegality.

On the other hand, learned Assistant Public Prosecutor submitted that the nature of allegations are grave, no interference is necessitated and proceedings be permitted to go on.

Heard learned counsels, perused the record and considered the submissions.

This Court, having perused the record and considered the submissions on both sides, is of the opinion that the Special Police Officer under Section 13 of PIT Act should be an Officer not below the rank of Inspector of Police. In the present case, it is SI of Police, who lodged the complaint, raided the premises and seized the items such as mobile phones and condoms, under a seizure report in the presence of panchas,

which is not in accordance with law, as SI of Police is not empowered under the Act to carry out such raid and seizure.

For the said reasons, this Court is of the opinion that the proceedings in Crime No.483 of 2025 on the file of Panjagutta Police Station, Hyderabad, including arrest of petitioner/accused No.2, are liable to be stayed.

There shall be stay of all further proceedings in Crime No.483 of 2025 on the file of Panjagutta Police Station, Hyderabad.

Post on 05.08.2025, for instructions.

SD/- REKHA RANI BALAGANI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The XIV Addl. Chief Judicial Magistrate at Nampally, Hyderabad.
2. The Station House Officer, Police Station Panjagutta, Hyderabad.
3. B. Venugopal, Sub- Inspector of Police PS Punjagutta Hyderabad. (by RPAD- along with a copy of petition and memorandum of grounds)
4. One CC to SRI S M SAIFULLAH, Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad [OUT]
6. One spare copy

HIGH COURT

JAK,J

DATED:29.07.2025

POST ON 05.08.2025 FOR INSTRUCTIONS

NOTICE BEFORE ADMISSION



CRLP.No.8140 of 2025

STAY

