

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

**THURSDAY, THE NINTH DAY OF JULY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 10068 OF 2026

Between:

1. Jaggarla RamaKrishna, S/o J. Bala Narasimha, Aged. 42 years, Occ. Business, R/o. Fakirgudem Village, Yadadri Bhuvanagiri District, Telangana.
2. Jaggarla Anand Goud, S/o J. Bala Narasimha, Aged. 52 years, Occ. Upa-Sarpanch Fakirgudem Village, R/o Fakirgudem Village, Yadadri Bhuvanagiri District, Telangana.
3. Jaggarla Mundeer, S/o J. Bala Narasimha, Aged. 40 years, Occ. Business, R/o Fakirgudem Village, Yadadri Bhuvanagiri District, Telangana.
4. Jaggarla Venkatesh, S/o J. Sattaiah, Aged. 62 years, Occ. Business, R/o Fakirgudem Village, Yadadri Bhuvanagiri District, Telangana

...Petitioner/Accused No.1 to 4

AND

1. State of Telangana,, Rep by its Public Prosecutor, High Court of Telangana at Hyderabad
2. Babu Gunde, S/o late Krishnaiah, Aged.38 years, Occ. Farmer, R/o Fakirgudem Village, Bommalaramaram Mandal, Yadadri Bhuvanagiri District, Telangana.

...Respondent/De-facto 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 Criminal proceedings against the Petitioners/accused No.1 to 4 in FIR No. 155 OF 2026 P.S Bommalaramaram, Yadadri Bhuvanagiri District.

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 STAY all further proceedings in FIR No. 155 OF 2026 P.S Bommalaramaram, Yadadri Bhuvanagiri 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 Sri N Vishal , Advocate for the Petitioners and Sri Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of 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.10068 of 2026

Date: 09.07.2026

Between:

Jaggarla Ramakrishna and 3 others

...Petitioners

AND

The State of Telangana, and another.

...Respondents

ORDER

This Criminal Petition has been filed seeking to quash the proceedings in Crime No.155 of 2026 of Bommaramaram Police Station, Yadadri Bhuvanagiri District, wherein the petitioners were arrayed as the accused Nos.1 to 4 for the offences punishable under Sections 352, 351 (2) r/w. 3 (5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Sections 3 (1) (r) (s) and 3 (2) (Va) of The Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) Act, 2015 (for short 'POA Act').

2. Heard Mr.N.Vishal, learned counsel for the petitioners and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1.

3. Learned Additional Public Prosecutor submitted that, pursuant to the order dated 02.07.2026, the Investigating Officer served notice on the de facto complainant about filing of the present Criminal Petition. Despite service of notice, respondent No. 2 has not chosen to enter his appearance. Hence, this Court has no option except to proceed with the matter in accordance with law.

4. Learned counsel for the petitioners submitted that the petitioners have not committed the alleged offences and have been falsely implicated in the present crime only due to political rivalry. The petitioners never abused Respondent No.2 in the name of his caste. However, Respondent No.2 made omnibus allegations against the petitioners with an intention to harass them in one way or the other. Hence, the continuation of the proceedings is a clear abuse of the process of law.

4.1. He further submitted that the offences levelled against the petitioners are punishable with imprisonment 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') and without following

the guidelines formulated by the Hon'ble Supreme Court in *Arnesh Kumar Vs. State of Bihar*¹, is proceeding further in the matter and the same is contrary to law.

5. *Per contra*, the learned Additional Public Prosecutor submitted that there are specific allegations levelled against the petitioners in the complaint that the petitioners abused Respondent No.2 by taking the name of his caste. Whether the allegations levelled in the complaint are true or not can be revealed only during the course of the investigation, especially when the investigation is still in progress. At this stage, the petitioners are not entitled to seek quashing of the proceedings. He further submits that the Investigating Officer intends to follow the procedure contemplated under Section 35(3) of the BNSS and the guidelines issued by the Hon'ble Apex Court in *Arnesh Kumar* (supra) on the ground that the alleged offences levelled against the petitioners are punishable with imprisonment of less than seven years. However, the petitioners have not been cooperating with the investigation.

6. By way of reply, learned counsel for the petitioners submits that the petitioners will cooperate with the Investigating Officer.

¹(2014) 8 SCC 273

7. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it 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 will follow the procedure contemplated under Section 35(3) of the BNSS and also the guidelines formulated by the Apex Court in *Arnesh Kumar* (supra).

8. In view of the above, the petitioners/accused Nos.1 to 4 are directed to appear before the Investigating Officer on or before 20.07.2026 and submit reply/explanation along with the documents, which are available with them, to the Investigating Officer. The Investigating Officer is entitled to follow the procedure contemplated under Section 35(3) of the BNSS and follow the guidelines issued by the Apex Court in *Arnesh Kumar* (supra). However, it is made clear that the petitioners shall cooperate with the investigation.

9. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications, pending if any, shall stand closed.

**SD/- K.BHAVANI SWAMY
ASSISTANT REGISTRAR**

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SECTION OFFICER

To,

1. The Principal District and Sessions Court Yadadri Bhuvanagiri
2. The Station House Officer, Bommalaramaram Police Station, Yadadri Bhuvanagiri
3. One CC to SRI. N VISHAL, Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR High Court for the State of Telangana, at Hyderabad [OUT]
5. Two CD Copies

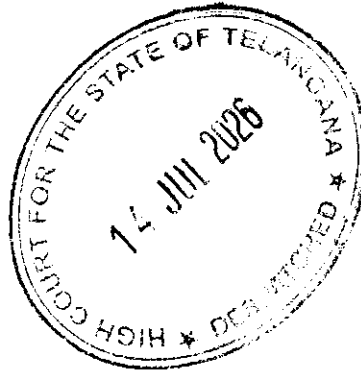
 ADK/KA

HIGH COURT

DATED: 09/07/2026

ORDER

CRLP.No.10068 of 2026



DISPOSING OF THE CRLP

⑧
14/07/26
b.s