

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**FRIDAY, THE SEVENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 6645 OF 2022

Between:

Revanth Reddy Yanala, S/o Linga Reddy, Aged about 33 years, Occ Employee, R/o Ashok Nagar, Miryalguda Town, Nalgonda District.

...PETITIONER/ACCUSED No.3

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court of Judicature at Hyderabad, For the State of Telangana.
2. Narayana Gouru, S/o Rajaiah, Aged about 65 years, Occ Business, R/o HanmanPet, Miryalguda Town, Nalgonda District.

...RESPONDENTS/COMPLAINANTS

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash the proceedings in C.C.No.266 of 2017 dated 08-05-2017 for the offence U/Sec.420 120-6, 506 r/w 34 IPC on the file of the Judicial First Class Magistrate at Miryalguda.

I.A. NO: 2 OF 2022

Petition under Section 482 of Cr.P.C 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 in C.C.No.266 of 2017 dated 08-05-2017 for the offence U/Sec.4215, 120-B, 506 r/w 34 IPC on the file of the Judicial First Class Magistrate at Miryalguda pending disposal of the Quash Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri RAPOLU BHASKAR ,Advocate for the Petitioner and Sri M.Vivekananda Reddy, the Assistant Public Prosecutor on behalf of the Respondent No.1 and none appeared for the Respondent No.2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 6645 of 2022

ORDER:

This criminal petition has been filed by the petitioner/accused No.3 seeking to quash the proceedings in C.C.No.266 of 2017 on the file of the Judicial First Class Magistrate at Miryalguda, in Crime No.184 of 2015 of Miryalguda II Town Police Station for the offences punishable under Sections 420, 120B and 506 read with 34 of the Indian Penal Code, 1860.

2. Heard Mr. M. Dinesh Reddy, learned counsel, representing Mr. Rapolu Bhaskar, learned counsel for the petitioner, and Mr. M. Vivekananda Reddy, learned Assistant Public Prosecutor appearing for respondent No.1 State.

3. During the course of hearing, learned counsel for the petitioner submitted that accused Nos.1, 2, 4, 5 and 6 were acquitted in C.C.No.266 of 2017. By virtue of the same, the continuation of the proceedings against the petitioner is a clear abuse of the process of law.

4. *Per contra*, learned Assistant Public Prosecutor submitted that the petitioner had absconded from the date of registration of the crime and that the Investigating Officer has not filed the final report against him. In the final report filed against accused Nos.1, 2, 4, 5

and 6, it is specifically mentioned that a supplementary charge sheet will be filed against absconding accused No.3 i.e., petitioner, soon after his arrest. By virtue of the same, the petitioner is not entitled to any relief in the present case and the criminal petition is liable to be dismissed.

5. Learned counsel for the petitioner, by way of reply, submitted that the offences levelled against the petitioner are punishable with an imprisonment of less than seven years and the Investigating Officer may be directed to follow the procedure contemplated under Section 41-A of the Criminal Procedure Code, 1973 (for short "Cr.P.C.)/Section 35(3) of the BNSS and the guidelines issued by the Apex Court in **Arnesh Kumar Vs. State of Bihar**¹. The petitioner may also be permitted to submit statement by enclosing the copy of the judgment in C.C.No.266 of 2017 and the Investigating Officer may be directed to consider the same while filing supplementary charge sheet/final report.

6. The said submissions has not opposed by the learned Assistant Public Prosecutor.

7. Taking into consideration the facts and circumstances of the case, especially the Investigating Officer has not filed the supplementary charge sheet/final report against the petitioner in

¹(2014) 8 SCC 273

C.C.No.266 of 2017, this Court is of the considered view that the petitioner is not entitled to seek quash the proceedings in C.C.No.266 of 2017 in the absence of any supplementary charge sheet/final report against him. However, as the offences levelled against the petitioner are punishable with an imprisonment of less than seven years, the Investigation Officer is directed to scrupulously follow the procedure contemplated under Section 41-A of the Cr.P.C./Section 35(3) of the BNSS and the guidelines issued by the Apex Court in **Arnesh Kumar** *supra*. The petitioner is entitled to submit a statement by enclosing a copy of the judgment in C.C.No.266 of 2017 and the Investigating Officer is directed to consider the same while preparing supplementary charge sheet or final report.

8. Subject to the above directions, the Criminal Petition is disposed of.

Miscellaneous applications, pending if any, shall stand closed.

**SD/- A PRATHIMA
DEPUTY REGISTRAR**

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SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Miryalguda, Nalgonda Dist
2. The Station House Officer, Police Station, Miryalaguda-II Town, Nalgonda District.
3. Two CCs to the PUBLIC PROSECUTOR, High Court at Hyderabad. (OUT)
4. One CC to 'SR' RAPOLU BHASKAR Advocate [OPUC]
5. Two CD Copies

ABK
TPK/ABK

HIGH COURT

DATED:07/11/2025



ORDER

CRLP.No.6645 of 2022

CRIMINAL PETITION IS DISPOSED OF

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ASU
13/11/25