

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

**WEDNESDAY, THE TWENTIETH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 10563 OF 2025

Between:

1. Lanka Bindu Sri, D/o. Lakshminarayana Reddy, R/o. H.No.36/256-22, Opp Manasa Kalyana Mandapam, Chinna Chowk, Kadapa, also at Flat No.G5, C-Block, Golden Oriole, Puppalguda, Rajendranagar, R.R. Dist.,
2. Meegada Venugopal Reddy,, S/o. M. Krishna, Aged 38 years, Occ Business, R/o. Flat No.G5, C-Block, Golden Oriole, Puppalguda, Rajendranagar, R.R. Dist

...Petitioner/Accused No.5 & 6

AND

1. The State of Telangana, Rep by Station House Officer, Hayathnagar Police Station, Rachakonda, Through the Public Prosecutor, Honble High Court for the State of Telangana At Hyderabad.

...Respondent/Complainant

2. S. Venaktapathi,, S/o. Late Laxmana Swamy, Aged 64 years, Occ Manager, M/s. Gharda, Chemicals Ltd., at Sy.No.181 Part and 459, 460 and 461, Taramathipet, Gowrelly village, Abdullapurmet Mandal, Rangareddy District

...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 proceedings in FIR in Crime No.652 of 2025, under Sections 316(2), 318(4) r/w 3(5) of Hayathnagar Police Station, Rachakonda, against the Petitioners/Accused No.5 and 6.

I.A. NO: 2 OF 2025

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 stay all the further proceedings in Crime No.652 of 2025, under Sections 316(2), 318(4) r/w 3(5) of Hayathnagar Police Station, Rachakonda,

including the arrest of the Petitioners/Accused No.5 and 6 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 V.Vijay Shankar, Advocate for the Petitioner and the Sri Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondent No.1 and none Appeared for the Respondent No.2.

The Court made the following: ORDER

THE HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.10563 of 2025

ORDER:

This Criminal Petition is filed under Section 528 Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioners/accused Nos.5 and 6 seeking to quash the proceedings against them in Crime No.652 of 2025 on the file of Hayathnagar Police Station, Rachakonda, registered for the alleged offences punishable under Sections 316(2), 318(4) read with Section 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. Heard Sri Vijay Shankar, learned counsel for the petitioners and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for the respondent No.1-State.

3. Though this petition is filed for quashing the proceedings in the crime, during the course of arguments, learned counsel for petitioners has sought for directions to the Police to proceed with investigation by issuing notice under Section 35(3) of Bharatiya Nagarik Suraksha Sanhita (BNSS) (Previously Section 41-A of Cr.P.C.).

4. Learned Additional Public Prosecutor has not disputed the same.

5. Considering the submissions both the counsel and on perusal of the material available on record, it is seen that the allegations are under Sections 316(2), 318(4) read with Section 3(5) of BNS and the punishment prescribed for the said offences alleged against the petitioners is less than seven (07) years. Hence, without going into the merits of the case, this Court deems it appropriate to direct the petitioners to appear before the Investigating Officer on or before 03.09.2025 between 11:00 a.m. and 05:00 p.m. and in turn, the Investigating Officer is directed to follow the procedure laid down under Section 35 (3) of the BNSS (previously section 41-A of Criminal Procedure Code, 1973) and also the guidelines formulated by the Hon'ble Supreme Court of India in **Arnesh Kumar v. State of Bihar**¹ scrupulously. However, the petitioners shall submit their defense and co-operate with the Investigating Officer as and when required by furnishing information and produce all relevant documents/material required for the purpose of the investigation

¹ (2014) 8 SCC 273

and the Investigating Officer shall consider the same and shall complete the investigation strictly in accordance with law.

6. With the above said observations, this Criminal Petition is disposed of. There shall be no order as to costs.

7. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

SD/- V. KAVITHA
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The XIV Additional Metropolitan Magistrate Cyberabad t at Hayathnagar.
2. The Station House Officer, Hyathnagar Police Station, Rachakonda.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
4. One CC to Sri V.Vijay Shankar, Advocate [OPUC]
5. Two CD Copies

NVB/gh

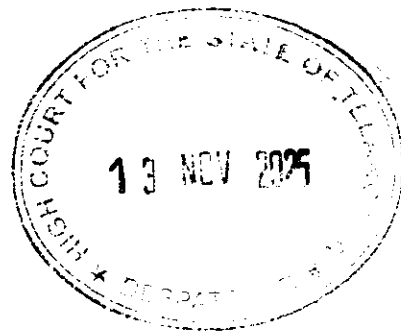


HIGH COURT

DATED:20/08/2025

ORDER

CRLP.No.10563 of 2025



DISPOSING THE CRIMINAL PETITION

⑧
lcp
8/11/25