

**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: 10581 OF 2025

Between:

1. N. Rathan Kumar,, S/o. N. Sathyanarayana, Aged 35 years, Occ- Politician, BJYM Executive Member(BJP). R/o. 8-3-228/678/1616, Sri Laxmi Nilayam, Sri Ram Nagar, Yousufguda, Hyderabad.
2. Kokkala Sai Kumar,, S/o KokkalaBeerayya, Age- 27 Years, Occ- Vice-President Bajrangdal, Vishwakarma Jilla(Rangareddy District), R/o Plot No.144, Prabhath Nagar, Vikalanganagar, Yousufguda, Hyderabad

...PETITIONER/ACCUSED NO.1 & 2

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court of Telangana, at Hyderabad
2. Shaik Nagul Meera,, S/o Not Known to my client, Age- Not Known to my client, Occ- Sub-inspector of Police, R/o. Borabanda Police Station, Borabanda, Hyderabad.

...RESPONDENTS/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 No. 506 of 2025, Dt. 13/08/2025 on the file of PS Borabanda, Hyderabad.

I.A. NO: 2 OF 2025

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 grant STAY of all further proceedings in FIR No. 506 of 2025, Dt. 13.08.2025 on the file of PS Borabanda, Hyderabad.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri NEELAM BHARGAVA RAM, Advocate for the Petitioners and of the Jithender Rao

Veeramalla Additional Public Prosecutor for the State of Telangana on behalf of
the Respondent No.

The Court made the following: ORDER

THE HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.10581 of 2025

ORDER:

This Criminal Petition is filed under Section 528 Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioners/accused Nos.1 and 2 seeking to quash the proceedings against them in Crime No.506 of 2025 on the file of Borabanda Police Station, Hyderabad, registered for the alleged offences punishable under Sections 132 and 351(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

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

3. Learned counsel for the petitioners submitted that the petitioners are facing false allegations and that they are no way concerned with the alleged offences. Hence, he prayed the Court to quash the proceedings against the petitioners.

4. On the other hand, learned Additional Public Prosecutor submitted that since the punishment prescribed for the offences alleged against the petitioners is less than seven (07) years and

he has sought for directions to the Police to proceed with investigation by issuing notice under Section 35(3) of BNSS.

5. Perused the record. It reveals that the allegations point out the offence under Sections 132 and 351(2) of BNS 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 and the Investigating Officer shall consider the same and shall complete the investigation strictly in accordance with law.

¹ (2014) 8 SCC 273

6. Accordingly this Criminal Petition is disposed of.
7. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

SD/- AHMED ABDULLA KHAN
ASSISTANT REGISTRAR



//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. NEELAM BHARGAVA RAM Advocate [OPUC]
2. Two CCs to the Public Prosecutor ,High Court of Telangana, at Hyderabad.
3. Two CD Copies



HIGH COURT

DATED:20/08/2025

ORDER

CRLP.No.10581 of 2025



THE CRIMINAL PETITION IS DISPOSED OF.

⑥ kpl
8/11/25