

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

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

PRESENT

THE HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 10588 OF 2025

Between:

Tatikonda Abhishek, S/o. T. Vinod, Age: 24 years, Occ: Business, R/o. Near VN Goud Complex, Tandur, Vikarabad District.

...Petitioner/A-4

AND

1. The State of Telangana, Rep. by Public Prosecutor, High Court at Hyderabad. Through S.H.O, P.S. Excise, Tandur.
2. C. Ravi Kumar, S/o. not known to the Petitioner, aged about not known to the Petitioner, Occ. Prohibition and Excise Sub Inspector, O/o. Tandur Police Station.

...Respondents

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 call for the records in COR. No.140 of 2025, dated. 11-08-2025 on the file of Police Excise, Tandur Police Station, Vikarabad District and quash the same.

I.A. NO: 1 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 to grant stay of all further proceedings including the arrest of the Petitioner COR. No.140 of 2025, dt. 11.08.2025 on the file of Police Excise, Tandur Police Station, Vikarabad 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 Mr. Vadeendra Joshi, Advocate for the Petitioner and the Mr. 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.10588 of 2025

ORDER:

This criminal petition is filed seeking to quash the proceedings in C.O.R. No.140 of 2025 on the file of the Excise Police Station, Tandur, against the petitioner-accused No.4 for the offence under Section 34(a) of the Telangana Excise Act.

2. Heard Mr.Vadeendra Joshi, learned counsel for the petitioner and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for the respondent No.1-State.

3. Learned counsel for the petitioner limited his arguments to the extent of giving a direction to the police to follow the procedure contemplated under Section 35 (3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS').

4. Learned Additional Public Prosecutor submitted to pass appropriate orders in the petition.

5. Perused the record.

6. The offence alleged against the petitioner in the FIR is under Section 34 (a) of Telangana Excise Act. In the facts and circumstances of the case and considering the submission of the learned counsel for the petitioner, this Court deems it appropriate

to direct the petitioner to appear before the Investigating Officer concerned on or before 10.09.2025 between 11.00 a.m. and 5.00 p.m., and in turn, the Investigating Officer is directed to follow the procedure laid down under Section 35 (3) of BNSS and the guidelines formulated by the Hon'ble Apex Court in **Arnesh Kumar v. State of Bihar**¹ scrupulously. However, the petitioner is directed to co-operate with the Investigating Officer and to furnish the requisite information and documents as and when required by him.

7. Accordingly this Criminal Petition is disposed of with the above directions.

Miscellaneous Petitions pending, if any, shall stand closed.

SD/- AHMED ABDULLA KHAN
ASSISTANT REGISTRAR

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//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial First Class Magistrate, Vikarabad District.
2. The Station House Officer, Tandur Police Station, Vikarabad District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to Mr. Vadeendra Joshi, Advocate [OPUC]
5. Two CD Copies

Kam/PSL

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HIGH COURT

DATED:20/08/2025

ORDER

CRLP.No.10588 of 2025



**DISPOSING OF THE
CRIMINAL PETITION**

(8)

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11/12/25