

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

FRIDAY, THE TWENTY SECOND DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 10668 OF 2025

Between:

1. Ane Praveen, S/o. Ane Lingaiah, Aged 27 Years, Occ. Coolie, R/o. H. No 3-11, Rapally V, Rapally Mandal, Dist. Adilabad
2. Ane Nithish, S/o. Ane Lingaiah, Aged 29 Years, Occ. Coolie, R/o. H. No 3-11, Rapally V, Rapally Mandal, Dist. Adilabad
3. Mandapalli Srinivas, S/o. Mandapalli Mallaiah, Aged 47 Years, Occ. Ex-MPP, R/o. H No H. No 3-100, Rapally V, Rapally Mandal, Dist. Adilabad
4. Ane Mallesh, S/o. Ane Narsaiah, Aged 49 Years, Occ. Ex-Sarpanch, R/o. H. No 5-31, Rapally V, Rapally Mandal, Dist. Adilabad

...PETITIONERS/ACCUSED NOS. 1 TO 4

AND

1. The State of Telangana, through SHO P.S. Telkapally, Rep., by Public Prosecutor, High Court For the State of Telangana, At Hyderabad
2. Thangella Saikumar, S/o. Rajaiah, Aged about 27 Years, Occ. Mines Employee, R/o. Rapalli (v), Hajipur(M) of Mancherial district.

...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 call for the records relating to and connected with proceedings in FIR No. 166 of 2025 dated 15.08.2025 registered On the file of the Hajipur P.S., Ramagundam Commissionerate, Mancherial District against the Petitioners/Accused no. 1 to 4 and quash the same.

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 to grant stay of all further proceedings including the arrest of the petitioner/ Accused no. 1 to 4 in FIR No. 166 of 2025 dated 15.08.2025 registered On the file of the Hajipur P.S., Ramagundam Commissionerate, Mancherial District, pending the disposal of the Main Quash Petition in the interest of the justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri P RAMULU, Advocate for the Petitioners and SRI JITHENDER RAO VEERAMALLA, the Additional Public Prosecutor for the Respondent No.1 and none appeared for the Respondent No.2.

The Court made the following: ORDER

HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.10668 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 to 4 seeking to quash the proceedings against them in Crime No.166 of 2025 on the file of Hajipur Police Station, Ramagundam, registered for the alleged offences punishable under Sections 296(b), 118(1), 351(2), 49 read with 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. Heard Sri P.Ramulu, 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 have 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 of both the counsel and on perusal of the material available on record, it is seen that the allegations are under Sections 296(b), 118(1), 351(2), 49 read with 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 05.09.2025 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/- T.SRINIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Junior Civil Judge cum Judicial First Class Magistrate at Luxettipet.
2. The Station House Officer, Hajipur Police Station, Ramagundam.
3. One CC to SRI P RAMULU Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana, at Hyderabad. [OUT]
5. Two CD Copies

GR/PSL

lept

HIGH COURT

DATED:22/08/2025

ORDER

CRLP.No.10668 of 2025



DISPOSING OF THE CRIMINAL PETITION

⑧
kps
8/11/25