

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD  
(Special Original Jurisdiction)**

**MONDAY, THE TWENTY NINTH DAY OF DECEMBER  
TWO THOUSAND AND TWENTY FIVE**

**PRESENT**

**THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

**WRIT PETITION NO: 26249 OF 2015**

**Between:**

1. Arshad Ayub, S/O of the late Mohammed Ali, aged about 57 years, occupation President of the Hyderabad Cricket Association, resident of Lake View Apartments L3, Road No. 11, Banjara Hills, Hyderabad.
2. K. John Manoj, son of the late K R William, aged about 57 years, occupation Honorary Secretary of the Hyderabad Cricket Association, resident of H No.10-1-605, East Marredpally, Secunderabad - 500

**...PETITIONER**

**AND**

1. The State of Telangana, represented by its Principal Secretary, Home Department, Secretariat Buildings, Hyderabad.
2. The Commissioner of Police, Cyberabad, Ranga Reddy District.
3. The Station House Officer, Uppal Police Station, Uppal, Ranga Reddy District.
4. S.Sunil Kumar, Inspecting Officer/ADE/DPE/HT-II, Operation Uppal Sub-Division, (Southern Power Distribution Company of TS Limited) TSSPDCL, Uppal Ranga Reddy District.
5. The Station House Officer, Vigilance and APTS Team, R.R. East, Uppal, Hyderabad.

**R5 is impleaded as per C.O. dt. 9-9-15 in WPMP 34951 of 15**

**...RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the registration of Crime No. 1279/2015 dated 01.08.2015 by the 3rd Respondent is as an abuse of executive powers vested in it, violative of judicial precedents, law and fundamental rights and consequently quash the same.

**I.A. NO: 2 OF 2015(WPMP. NO: 34098 OF 2015)**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay the investigation of Crime No.1279/2015 dated 01.08.2015 on the file of P.S. Uppal, R.R. District including arrest of the Petitioner Nos. 1 & 2, pending disposal of the Writ Petition pending disposal of the above writ petition.

**I.A. NO: 1 OF 2015(WVMP. NO: 4347 OF 2015)**

**Between:**

The Station House Officer, Vigilance and APTS Team, R.R. East, Uppal, Hyderabad.

**...PETITIONER/RESPONDENTS**

**AND**

1. Arshad Ayub, S/O of the late Mohammed Ali, aged about 57 years, occupation President of the Hyderabad Cricket Association, resident of Lake View Apartments L3, Road No. 11, Banjara Hills, Hyderabad.
2. K. John Manoj, son of the late K R William, aged about 57 years, occupation Honorary Secretary of the Hyderabad Cricket Association, resident of H No.10-1-605, East Marredpally, Secunderabad - 500

**... RESPONDENTS/PETITIONER**

3. The State of Telangana, represented by its Principal Secretary, Home Department, Secretariat Buildings, Hyderabad.
4. The Commissioner of Police, Cyberabad, Ranga Reddy District.
5. The Station House Officer, Uppal Police Station, Uppal, Ranga Reddy District.
6. S.Sunil Kumar, Inspecting Officer/ADE/DPE/HT-II, Operation Uppal Sub-Division, (Southern Power Distribution Company of TS Limited) TSSPDCL, Uppal Ranga Reddy District.

**...RESPONDENTS/RESPONDENTS**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to vacate the interim orders granted in W.P.No. 26249 of 2015 dated 19-8-2015.

**Counsel for the Petitioner : SRI M.SARATH KUMAR,**  
**rep., SRI V.RAMCHANDER GOUD**  
**Counsel for the Respondents No.1,2,3&5 : SRI B.SRIDHAR, ASST.GP FOR HOME**  
**Counsel for the Respondent No.4 : N SREEDHAR REDDY ( SC FOR TGSPDCL)**  
**The Court made the following: ORDER**

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

**THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO**

**WRIT PETITION No.26249 of 2015**

**Date: 29.12.2025**

Between:

Arshad Ayub and another.

...Petitioners

AND

The State of Telangana,  
Represented by Principal Secretary,  
Home Department, Secretariat  
Buildings, Hyderabad and 4 others.

...Respondents

**ORDER**

This Writ Petition has been filed seeking to quash the proceedings in Crime No.1279 of 2015 on the file of the A.P.T.S., Ranga Reddy East Police Station, registered for the offence under Section 135(A) of the Electricity Act, 2003 (hereinafter referred to as "the Act"), against M/s.Hyderabad Cricket Association.

2. Heard Mr.M.Sarath Kumar, learned counsel representing Mr.V.Ramachander Goud, learned counsel for the petitioners; Mr.B.Sridhar, learned Assistant Government Pleader for Home appearing for respondent Nos.1,2,3 and 5; and Mr.N.Sreedhar Reddy, learned Standing Counsel for TGSPDCL appearing for respondent No.4.

3. Learned counsel for the petitioners submitted that the petitioners have not committed the alleged offence and that

their names were not mentioned in the F.I.R. Even according to the allegations made in the complaint, the ingredients of the offence under Section 135(A) of the Act are not attracted against the petitioners. Petitioner No.1 has discharged his duties as the President of the Hyderabad Cricket Association and petitioner No.2 has discharged his duties as the Honorary Secretary of the Hyderabad Cricket Association. They have not committed any offence and there are no specific allegations against them, still they have been arrayed as accused. However, subsequent to the registration of the crime, the Investigating Officer issued notices under Section 41-A of the Cr.P.C. to the petitioners. Aggrieved by the same, the petitioners have approached this Court by filing the present writ petition seeking quashing of the said crime.

4. He further submitted that the petitioners are not liable to be prosecuted, as they have not committed any theft of energy. They were not present at the alleged scene of offence. Hence, the continuation of proceedings against the petitioners is a clear abuse of the process of law. In support of his contentions, learned counsel placed reliance on the principle laid down by the Hon'ble Apex Court in **Mahaveer Vs. State of Maharashtra and Another**<sup>1</sup>.

---

<sup>1</sup> 2025 SCC Online SC 2180

5. *Per contra*, learned Standing Counsel for TGSPDCL, submitted that the Hyderabad Cricket Association has committed the offence of pilferage of energy, and that the loss estimated by respondent No.4 comes to Rs.1,64,13,035/-. Whether the petitioners have committed the offence or not, whether the offence has been committed by their employees or not has to be revealed during the course of investigation and the grounds raised by the learned counsel for the petitioners are disputed questions of fact, and on such grounds, the petitioners are not entitled to seek quashing of the crime.

6. He further submitted that the principle relied upon by the learned counsel for the petitioners in ***Mahaveer*** *supra* is not applicable to the facts and circumstances of the present case, as none of the witnesses have spoken about the presence of the petitioners at the scene of offence. Further, when the investigation is still in progress, the petitioners approached this Court by filing the present writ petition and obtained an ex-parte interim stay of all further proceedings. Therefore, the writ petition is liable to be dismissed.

7. Having considered the rival submissions made by the respective parties and upon perusal of the material available on record, it reveals that the offences levelled against the petitioners are punishable with imprisonment of less than seven years. Hence, this Court is of the considered view that the

Investigating Officer ought to have followed the procedure contemplated under Section 41-A of the Cr.P.C/Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023, as well as the guidelines formulated by the Hon'ble Apex Court in **Arnesh Kumar Vs. State of Bihar**<sup>2</sup>.

8. During the course of hearing, the learned counsel for the petitioners submitted that notices under Section 41-A of the Cr.P.C. have already been issued by the Investigating Officer to the petitioners. In view of the same, the petitioners are granted liberty to submit their reply/explanation, along with the documents available with them, to the Investigating Officer. The Investigating Officer is further directed to scrupulously follow the guidelines issued by the Hon'ble Apex Court in **Arnesh Kumar** (supra).

9. With the above said direction, the writ petition is disposed of.

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

Sd/-AHMED ABDULLA KHAN  
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Home Department, Secretariat Buildings, Hyderabad.
2. The Commissioner of Police, Cyberabad, Ranga Reddy District.
3. The Station House Officer, Uppal Police Station, Uppal, Ranga Reddy District.
4. The Inspecting Officer/ADE/DPE/HT-II, S.Sunil Kumar, Operation Uppal Sub-Division, (Southern Power Distribution Company of TS Limited) TSSPDCL, Uppal Ranga Reddy District.
5. The Station House Officer, Vigilance and APTS Team, R.R. East, Uppal, Hyderabad.
6. One CC to SRI V.RAMCHANDER GOUD, Advocate. [OPUC]

7. One CC to SRI N.SREEDHAR REDDY, (SC FOR TGSPDCL). [OPUC]
8. Two CCs to GP FOR HOME, High Court for the State of Telangana. [OUT]
9. Two CD Copies.

BSK/PMK

*PS*

**HIGH COURT**

**DATED:29/12/2025**

**ORDER**

**WP.No.26249 of 2015**

**DISPOSING OF THE WRIT PETITION  
WITHOUT COSTS**



*12 copies  
H  
25/12/26*