



2025:TSHC:29549

[3444]

**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: 10729 OF 2025**

Between:

Karnati Srinu, s/o Mallaiah, Age. 46years, Occ. Business, R/o.11-21-545,
L.B.Nagar, Sarooranagar, Ranga Reddy

...PETITIONER/ACCUSED

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court for the State of Telangana Hyderabad.
2. The Sub-Inspector of Police, L.B.Nagar Police Station, Rachakonda District.

...RESPONDENT/COMPLAINANTS

Petition under Section 528 of BNSS, 2023 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. 843 of 2025 On the file of L.B.Nagar Police Station, Rachakonda District against the Petitioner;

I.A. NO: 2 OF 2025

Petition under Section 528 of BNSS, 2023 praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to direct the respondents / L.B.Nagar Police Station, Rachakonda District to release the 1. Amber — 90 packets, 2. Kamalapasand — 86 Pakets, 3. KP Dubble black — 102 packets, 4. Sagar — 85 Packets, 5) SR 1 — 87 Packets, 6) RN 01-28 Packets, 7) Raj Nivas — 56 Small Packets 8) Raj Nivas — 88 big packets, 9)SS 1-24 Packets, 10) V 1- 18 Packets 11) Miraj -43 Packets 12) Vimal- 18 Packets, 13) RR Gold- 52 packets, 14) Shikar — 11 Packets, 15) RR Tobacco- 42, Seized in FIR NO. 843 of 2025 On the file of L.B.Nagar Police Station, Rachakonda District in favor of the Petitioner;

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri BALA MURALI Y, Advocate for the Petitioner and Sri Jithender Rao Veeramalla, Addl. Public Prosecutor on behalf of the Respondent No. 1 and none appear for the Respondent No.2;

The Court made the following: ORDER



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THE HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.10729 of 2025

ORDER:

This Criminal Petition is filed under Section 528 Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/accused seeking to quash the proceedings against him in Crime No.843 of 2025 on the file of L.B.Nagar Police Station, Rachakonda District, registered for the alleged offences punishable under Sections 223 and 280 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. Heard Sri Y.Bala Murali, learned counsel for the petitioner and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for the respondent.
3. Learned counsel for the petitioner submitted that the matter is squarely covered by the orders of this Hon'ble Court in Cri.P.Nos.12333 of 2024, 152 of 2020 and batch and in several other judgments. Hence, he prayed that the proceedings against the petitioner be quashed.
4. Learned Additional Public Prosecutor also submitted that the issue raised in the present criminal petition is covered by the earlier order passed in the aforementioned criminal petitions.

5. Perused the record. It is evident that the allegations in the present case pertain to purchase and sale of Gutka packets, which are similar to the allegations considered in ***Chidurala Shyamsunder vs The State Of Telangana***¹. In the said case it was observed that the act of purchase and sale of gutka does not fall under Section 270 of IPC as it does not spread any infectious disease and further it is not a noxious food to attract the offence under Section 273 of IPC. It is further observed that similar orders have been passed in CrI.P.Nos.12333 of 2024, 152 of 2020 and batch, and in several other matters.

6. Since the allegations in the present case are similar to the above said decisions, this criminal petition is allowed in terms of the above said order. The proceedings against the petitioner/accused in Crime No.843 of 2025 on the file of L.B.Nagar Police Station, Rachakonda District, are hereby quashed. Further, the Station House Officer/Investigating Officer is hereby directed to return the seized property on proper identification and verification under due acknowledgment.

¹ CrI.P.No.3731 of 2018 & batch, decided on 27.08.2018



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ETD, J
Cr.P_10729_2025

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

SD/- MOHD. ISMAIL
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The II Addl. Judicial First Class Magistrate-cum-Addl. Junior Civil Judge ,
Rangareddy at L.B.Nagar, Hyderabad
2. The Station House Officer, L.B.Nagar P.S., Rachakonda
3. One CC to SRI. BALA MURALI Y Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad (OUT)
5. Two CD Copies

VSM/gh





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HIGH COURT

DATED:22/08/2025



ORDER

CRLP.No.10729 of 2025

ALLOWING THE CRIMINAL PETITION

(8) MT
30/8/25