



IN THE HIGH COURT FOR THE STATE OF TELANGANA // AT HYDERABAD 2025:TSHC:41831

WEDNESDAY, THE FIFTEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 13380 OF 2025

Between:

Md. Mohiyuddin @ Chand, S/o. Shamiuddin, Aged 40 years, Occ. Business,
R/o. 6-94/2, Sriramnagar, Elkalapally, Karimnagar District.

...Petitioner

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court for the State of Telangana, at Hyderabad.
2. Gulla Ramesh, S/o. Late Odelu, Aged 59 years, Occ. Business, H No 6-2-170/6 Power House Colony, Godavarikhani

...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 **quash** the criminal proceedings in FIR No. 489 of 2025, on the file of the Police Station, Godavarikhani I Town, Peddapalli District, so far as the petitioner/Accused No.1 is concerned, in the interest of justice

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 **stay** all further proceedings in FIR No. 489 of 2025, on the file of the Police Station, Godavarikhani I Town, Peddapalli District, so far as the petitioner/Accused No.1 is concerned, including personal appearance of the Petitioner, pending disposal of Criminal Petition,



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This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Mr THIMMARAJU RAMCHANDRA RAO, Advocate for the Petitioner and Mr. JITHENDER RAO VEERAMALLA, the Additional Public Prosecutor on behalf of Respondent No.1 and none appeared 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.13380 OF 2025

ORDER:

This Criminal Petition is filed seeking to quash the proceedings against the petitioner-accused No.1 in Crime No.489 of 2025 on the file of Godavarikhani I Town Police Station, Ramagundam District, registered for the offences under Sections 118(1), 296(b) and 351(2) read with 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS') and Section 3(1)(s)(r) and 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Heard Sri T. Ramchander Rao, learned counsel for the petitioner and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1-State.
3. Though this Criminal Petition is filed for quashing the proceedings in the subject crime, during the course of arguments, learned counsel for the petitioner has sought for directions to the Police to proceed with investigation by issuing notice under Section 35(3) of Bharatiya Nagarik Suraksha Sanhita (BNSS).
4. Learned Additional Public Prosecutor submitted to pass appropriate orders in the Criminal Petition.



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5. Perused the record.
6. The offences alleged against the petitioner are under Sections 118(1), 296(b) and 351(2) read with 3(5) of BNS and Section 3(i)(s)(r) and 3(ii)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act. Considering the submissions 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 06.11.2025 between 11:00 AM and 5:00 PM, 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 and the petitioner is also directed to co-operate with the Investigating Officer and to furnish the requisite information and documents as and when required by him.
7. Accordingly, the Criminal Petition is disposed of with the above directions.

Miscellaneous Petitions pending, if any, shall stand closed.

1 (2014) 8 SCC 273

SD/- A.H.S. GOWRI SHANKAR
ASSISTANT REGISTRAR

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//TRUE COPY//

SECTION OFFICER

To,

1. The I-Additional Judicial Magistrate of First Class at Godavarikhani.
2. The Station House Officer, GDK I Town Police Station, Ramagundam Dist.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad. [OUT]
4. One CC to Mr. THIMMARAJU RAMCHANDRA RAO, Advocate [OPUC]
5. Two CD Copies

PMG.



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HIGH COURT

DATED: 15/10/2025

ORDER

CRLP.No.13380 of 2025



Accordingly, this Criminal Petition is Disposed of.

⑧ PMG.
u/11/25