



2025:TSHC:39479

[3444]

IN THE HIGH COURT FOR THE STATE OF TELANGANA

**MONDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 13903 OF 2025

Between:

GODA SHIVA NAGA NARESH,, S/o. Venkata Muthaiah Aged.30 Years,
Occ.Business, R/o.1-104, Ramalayam Veedi, Vemsoor Mandal, Khammam
District, Telangana- 506132

...PETITIONER/ACCUSED(S)

AND

1. THE STATE OF TELANGANA, Through Public Prosecutor, High Court for the
State of Telangana, Hyderabad
2. S.H.O P.S, Vemsoor, Khammam District

...RESPONDENT/COMPLAINANTS

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 proceedings in Crime No. 151/2025 of Vemsoor
Police Station. Khammam District, registered under Sections 296(b), 118(1) and
351(3) BNS

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 the further proceedings in FIR number 151 of 2025 on the
file of PS Vemsoor, Khammam district

This Petition coming on for hearing, upon perusing the Memorandum of
Grounds of Criminal Petition and upon hearing the arguments of Sri RUDRA
VENKAT RAO ,Advocate for the Petitioner and Sri. Jithender Rao Veeramalla
the Addl. Public Prosecutor (TG) on behalf of the Respondent No. 1 state

The Court made the following: ORDER



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THE HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.13903 of 2025

ORDER:

1. This Criminal Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking the Court to quash the proceedings against the petitioner/accused in Crime No.151 of 2025, on the file of Vemsoor Police Station, Khammam District, registered for the offences punishable under Sections 296(b), 118(1) and 351(3) of BNS, 2023.
2. Heard Sri Rudra Venkat Rao, learned counsel for the petitioner/accused as well as Sri Jitender Rao Veeramalla, the learned Additional Public Prosecutor appearing for the respondent No.1-State.
3. Learned counsel for the petitioner has restricted his submission stating that a direction be issued to the Police to follow the procedure prescribed under Section 35 (3) of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS').
4. On the other hand, the learned Additional Public Prosecutor submitted that the punishment prescribed for the offences alleged against the petitioner is less than seven (07) years and has sought for directions to the Police to proceed with investigation by issuing

notice under Section 35(3) of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS').

5. Perused the record. The allegations leveled against the petitioner pertain to the offences under Sections 296(b), 118(1) and 351(3) of BNS, 2023, which attracts punishment of less than seven years. Hence, without going into the merits of the case, this Court deems it appropriate to direct the petitioner/accused to appear before the Investigating Officer on or before 17.11.2025 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 petitioner/accused shall submit his defense and co-operate with the Investigating Officer as and when required by furnishing information and producing all relevant documents/material required for the purpose of investigation and the Investigating Officer shall consider the same and complete the investigation strictly in accordance with law.

¹ (2014) 8 SCC 273



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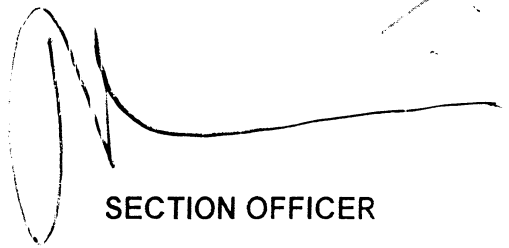
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ETD, J
CrIp_13903_2025

6. Accordingly the Criminal Petition is disposed of.
7. As a sequel, miscellaneous petitions, pending if any, shall stand closed.

SD/- M.NAGAMANI
ASSISTANT REGISTRAR

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SECTION OFFICER

To,

1. The Principal Junior Civil Judge cum Judicial First Class Magistrate at Sathupally, Khammam District.
2. The S.H.O Vemsoor Police Station, Khammam District
3. One CC to SRI. RUDRA VENKAT RAO Advocate [OPUC]
4. One CC to SRI. PUBLIC PROSECUTOR Advocate [OUT]
5. Two CD Copies





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HIGH COURT

DATED:27/10/2025

DISPOSED OFF



CRLP.No.13903 of 2025

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Asu
4/11/25