

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

**WEDNESDAY, THE EIGHTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 11966 OF 2022

Between:

Vangoori Yadagiri, S/o Basavaiah alias Vangoori Yadaiha. S/o Jangaiah, Age.. 57 years, Occ.. GHMC Employee, R/o.. H.No.8-7-98/85/40, Agricultural colony, Hasthinapuram, Karmanghat, Ranga Reddy District. N/O.. Aagapally Village, Manchal Mandal Ranga Reddy District

AND

...PETITIONER/ACCUSED

1. The State of Telangana, Rep by Station House officer, Police Manchal, Rachakonda Commissionarate, Ranga Reddy District.Rep by its P.P High Court,Hyd.
2. Vanguri Jangaiah, S/o Late V.Jangaiah, Age.. 47 yrs, Occ.. Private Driver, R/o..H.No.1-3, Aagapally Village, Manchal Mandal, Ranga Reddy District

...RESPONDENT/INFORMANT

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash C.C.NO.327/2022 on the file of XVI Metropolitan Magistrate Court At.. Ibrahimpatnam, Ranga Reddy District

I.A. NO: 2 OF 2022

Petition under Section 482 of Cr.P.C 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 proceedings in C.C.NO.327/2022 on the file of XVI Metropolitan Magistrate Court At.. Ibrahimpatnam, Ranga Reddy District and to pass

I.A. NO: 1 OF 2023

Between:

1. Vanguri Jangaiah, S/o Late V.Jangaiah, Age.. 47 yrs, Occ.. Private Driver, R/o..H.No.1-3, Aagapally Village, Manchal Mandal, Ranga Reddy District

...PETITIONER/...RESPONDENT

AND

1. The State of Telangana and another, Rep by Station House officer, Police Manchal, Rachakonda Commissionarate, Ranga Reddy District.Rep by its P.P High Court,Hyd.

2. Vangoori Yadagiri, S/o Basavaiah alias Vangoori Yadaih. S/o Jangaiah, Age.. 57 years, Occ.. GHMC Employee, R/o.. 4.No.8-7-98/85/40, Agricultural colony, Hasthinapuram, Karmanghat, Ranga Reddy District. N/O.. Aagapally Village, Manchal Mandal Ranga Reddy District

...RESPONDENT/...PETITIONER/ACCUSED

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to vacate the stay Orders granted in I.A. No.2 of 2022 in CrI.P.No.11966 of 2022 dated 02-01-2023 and dismiss the CrI.P.No.11966 of 2022

This Petition coming on for hearing upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri G ANIL KIRAN KUMAR , Advocate for the Petitioner and the Addl Public Prosecutor on behalf of the Respondent No1. and of Ms M.Saritha Advocate for the Respondent No2.

The Court made the following: ORDER

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

THE HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.11966 OF 2022

DATE: 18-02-2026

Between:

Vangoori Yadagiri

... Petitioner

And

The State of Telangana,
Rep. by Station House Officer, Police Manchal,
Rachakonda Commissionerate,
Ranga Reddy District,
Rep. by its P.P., High Court,
Hyderabad and another

... Respondents

ORDER:

This Criminal Petition is filed by the petitioner seeking to quash the proceedings against him in C.C.No.327 of 2022 on the file of learned XVI Metropolitan Magistrate, Ibrahimpatnam, Ranga Reddy District, registered for the offences under Sections 420, 404 and 419 I.P.C.

2. Heard Sri G. Anil Kiran Kumar, learned counsel for the petitioner and Ms. M. Saritha, learned counsel for respondent No.2.

3. The case of the prosecution is that the petitioner is alleged to have produced false evidence before the Tahsildar, Manchal Mandal, and obtained a Certificate of Ownership under Section 38-E of the Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act, 1950.

4. Learned counsel for the petitioner submitted that, in case, if the petitioner has submitted a false Succession Certificate, the complaint has to be lodged by the competent authority and that the *de facto* complainant cannot file a complaint, which is not maintainable under Section 195 Cr.P.C., unless the procedure under Section 340 Cr.P.C. is followed. Therefore, continuation of proceedings in the present case is an abuse of process of law. He, therefore, prayed to quash the proceedings in the present crime against the petitioner herein.

5. Learned counsel for respondent No.2 has submitted that the petitioner herein made a false statement before the Tahsildar stating that he is the son of one Jangaiah and has obtained the Certificate of Ownership in his favour, thus defeating the interest of the natural sons of Jangaiah. She further submitted that the petitioner has obtained two Aadhar Cards. In the earlier Aadhar Card, he is shown to be the son of 'Basavaiah', and thereafter, he

has fraudulently obtained another Aadhar Card wherein his father's name is mentioned as 'Jangaiah'. Thus, by showing the fake documents, he has made the authorities to believe that he is the son of 'Jangaiah' and has obtained the said Certificate of Ownership in his favour. Thus, it amounts to cheating and that the *de facto* complainant herein is the aggrieved party and therefore, the complaint lodged by the *de facto* complainant is very much maintainable. She, therefore, prayed to dismiss the Criminal Petition.

6. Perused the record.

7. The allegations *prima facie* point out the offences under Sections 420, 404 and 419 of I.P.C. against the petitioner herein. The act of obtaining the Certificate of Ownership by cheating and misrepresentation is alleged against the petitioner. The petitioner is alleged to have misrepresented before the revenue authorities i.e., the Tahsildar, Manchal Mandal, that he is the son of 'Jangaiah'. The petitioner's counsel contends that the complaint is not maintainable, as it is not lodged by the competent authority. It is pertinent to refer to Section 195 (1)(b) and 195 (3) of Cr.P.C, which reads thus:

"195. Prosecution for contempt of lawful authority of public servants, for offences against public justice and for offences relating to documents given in evidence.— (1) No Court shall take cognizance—

(a) xxx

(b) (i) of any offence punishable under any of the following sections of the Indian Penal Code (45 of 1860), namely, sections 193 to 196 (both inclusive), 199, 200, 205 to 211 (both inclusive) and 228, when such offence is alleged to have been committed in, or in relation to, any proceeding in any Court, or

(ii) of any offence described in section 463, or punishable under section 471, section 475 or section 476, of the said Code, when such offence is alleged to have been committed in respect of a document produced or given in evidence in a proceeding in any Court, or

(iii) of any criminal conspiracy to commit, or attempt to commit, or the abetment of, any offence specified in sub-clause (i) or sub-clause (ii),

except on the complaint in writing of that Court or by such officer of the Court as that Court may authorise in writing in this behalf, or of some other Court to which that Court is subordinate.

(2) xxx

(3) In clause (b) of sub-section (1), the term "Court" means a Civil, Revenue or Criminal Court, and includes a tribunal constituted by or under a Central, Provincial or State Act if declared by that Act to be a Court for the purposes of this section."

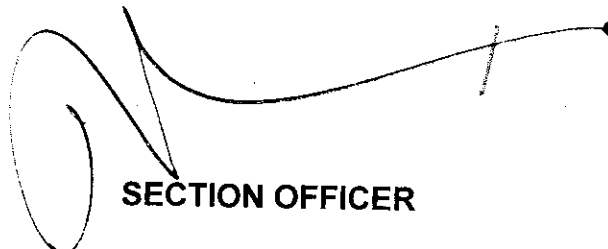
8. Thus, if it comes to the notice of the Tahsildar about the false representation made by the petitioner and the false evidence submitted by him for obtaining the Certificate of Ownership, then the said authority i.e., Tahsildar ought to have initiated proceedings against the petitioner by following the procedure under Section 340 Cr.P.C. In the present case, the complaint is not lodged by the competent authority, by following the procedure under Section 340 Cr.P.C. Thus, the complaint lodged by the *de facto* complainant herein (alleged aggrieved party) is not tenable in the eye of law. Hence, the continuation of proceedings against the petitioner would be an abuse of process of law.

9. Accordingly, the Criminal Petition is allowed and the proceedings against the petitioner in C.C.No.327 of 2022 on the file of learned XVI Metropolitan Magistrate, Ibrahimpatnam, Ranga Reddy District, are hereby quashed.

Miscellaneous Petitions pending, if any, shall stand closed.

SD/- T.SRINIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The XVI Metropolitan Magistrate Court At.. Ibrahimpatnam, Ranga Reddy District
2. The Station House Officer Police Station Manchal Rachakonda

3. One CC to SRI. G ANIL KIRAN KUMAR Advocate [OPUC]
4. One CC TO MS M.SARITHA Advocate for R-2 [OPUC]
5. Two CCs to PUBLIC PROSECUTOR High Court for the State of Telangana,
at Hyderabad [OUT]
6. Two CD Copies

AG/KA

lps

HIGH COURT

DATED: 18/02/2026

ORDER

CRLP.No.11966 of 2022



ALLOWING THE CRLP

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29/5/26