

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

**TUESDAY, THE TWENTY THIRD DAY OF JUNE
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 8640 OF 2026

Between:

Yerramsetti Krishna, S/o Late Anjan Rao, aged about 50 years, Occ: Reporter
MANAM Daily Newspaper, R/o H.No.9, KCR Colony, Bhadrachalam Town,
Bhadradi Kothagudem District, Telangana

...Petitioner/Accused

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court for the State of Telangana At Hyderabad
2. The Station House Officer, Bhadrachalam Town, Bhadradi Kothagudem District 507111
3. Sode Ramarao, S/o Late Venkateswarlu, Aged about 34 years, Occ: Contractor, R/o Marrigudem Village, Dummugudem Mandal, Bhadradi Kothagudem District, 507137 T.G

...Respondent/Complainant

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 FIR No.148 OF 2026, DT.04.06.2026, P.S Bhadrachalam Town, Bhadradi Kothagudem District, under Sec 308(2) 351(2) BNS 3(1) (r) SC ST POA Act 2015 3(2) (Va) SCST , pending disposal of this criminal petition.

I.A. NO: 2 OF 2026

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 grant stay of all further proceedings against the Petitioner/Accused including his

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appearance in FIR No. 148 OF 2026 DT 04.06.2026 P S Bhadrachalam Town Bhadradi Kothagudem District under Sec 308(2), 351(2) BNS 3(1) (r) SC ST POA Act 2015, 3(2) (Va) SCST pending disposal of this Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri K V L Jaya Simha, Counsel representing Smt K M Sraventhy Simha , Advocate for the Petitioner and Sri Jithender Rao Veeramalla, the Additional Public Prosecutor on behalf of the Respondent No. 1 and 2 and none appeared for the Respondent No. 3.

The Court made the following: ORDER

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 8640 of 2026

DATE: 23.06.2026

Between :

Yerramsetti Krishna

....Petitioner/accused

AND

The State of Telangana and two others

....Respondents

: O R D E R :

This criminal petition has been filed by the petitioner/accused seeking to quash the proceedings in F.I.R.No.148 of 2026 of Bhadrachalam Town, Bhadradri Kothagudem District, registered for the offences under Sections 308(2) and 351(2) of the Bharatiya Nyaya Sanhita, 2023 (BNS) and Sections 3(1)(r) and 3(2)(Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (SCs/STs (POA) Act).

2. Heard Mr. K.V.L. Jaya Simha, learned counsel representing Mrs. K.M. Sraventhy Simha, learned counsel for the petitioner, and Mr. Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for respondent Nos.1 and 2 State. With their consent, the criminal petition is being disposed of at the stage of admission.

3. Learned Additional Public Prosecutor submitted that pursuant to the order, dated 15.06.2026, the Investigating Officer served notice on respondent No.3 on 19.06.2026 and placed a copy of the said notice before this Court. In spite of service of notice, respondent No.3 has not chosen to enter appearance.

4. Learned counsel for the petitioner submitted that the petitioner has not committed any offence and he has been falsely implicated in the present crime. The petitioner is discharging his duties as reporter in Manam Daily Newspaper and has not made any defamatory statements or published any defamatory news against respondent No.3. However, respondent No.3 lodged the present complaint by making omnibus allegations. The allegations levelled in the complaint do not attract the ingredients of the offences under Sections 308(2) and 351(2) of the BNS against the petitioner. Respondent No.3 with an intention to harass the petitioner lodged the present complaint. He further submitted that the petitioner has not abused respondent No.3 in the name of his caste as alleged in the complaint. Hence, the ingredients of the offence under Sections 3(1)(r) and 3(2)(Va) of the SCs/STs (POA) Act are not attracted against the petitioner. He also submitted that the offences alleged against the petitioner are punishable with imprisonment of less than seven years. However, the Investigating Officer, without following the mandatory procedure prescribed under Section 35(3) of the

Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS'), the guidelines issued by the Apex Court in **Arnesh Kumar Vs. State of Bihar**¹, is proceeding with the investigation and the same is contrary to law.

5. *Per contra*, learned Assistant Public Prosecutor submitted that there are specific allegations levelled against the petitioner in the complaint. The said allegations attract the ingredients of the offences under Sections 308(2) and 351(2) of the BNS and Sections 3(1)(r) and 3(2)(Va) of the SCs/STs (POA) Act. As the investigation is under progress, the petitioner is not entitled to seek quashing of the proceedings at the threshold. As the offences alleged against the petitioner are punishable with imprisonment of less than seven years, the Investigating Officer will follow the due procedure as contemplated under the provisions of the BNSS.

6. Learned counsel for the petitioner, by way of reply, submitted that the petitioner is awaiting service of receive the notice under Section 35(3) of the BNSS and he undertakes to cooperate with the investigation.

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 petitioner are

¹(2014) 8 SCC 273

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punishable with imprisonment of less than seven years. Even according to the learned Additional Public Prosecutor, the Investigating Officer intends to follow the due procedure as contemplated under the provisions of the BNSS.

8. Hence, the petitioner/accused is directed to appear before the Investigating Officer on or before 04.07.2026, and on such appearance, the Investigating Officer is directed to issue notice under Section 35(3) of BNSS and follow the guidelines issued by the Apex Court in **Arnesh Kumar** *supra*.

9. It is needless to mention that the petitioner is entitled to put forth their grievance upon receipt of the notice under Section 35(3) of the BNSS and are also entitled to submit the documents, if any, which are in his possession.

10. Subject to the above directions, the Criminal Petition is disposed of.

Miscellaneous applications, pending if any, shall stand closed.

SD/- K.BHAVANI SWAMY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

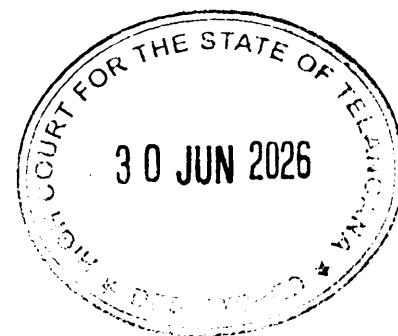
1. The Station House Officer, Bhadrachalam Town Police Station, Bhadradri Kothagudem.
2. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
3. One CC to Smt K M Sraventhy Simha, Advocate [OPUC]
4. Two CD Copies

Sa/KA



HIGH COURT

DATED: 23/06/2026



ORDER

CRLP.No.8640 of 2026

DISPOSING OF THE CRIMINAL PETITION

(7) (SP) 29/6/28