

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

FRIDAY, THE SEVENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 12788 OF 2026

Between:

1. Daravath Ravi, s/o Badru, Aged 44 yrs, Occ. Coolie, R/o PG Tanda, Maryala, Nalgonda.
2. Daravath Narsimha, s/o Ramulu, Aged 31 yrs, Occ. Coolie, R/o PG Tanda, Maryala, Nalgonda.
3. Daravath Mana, s/o Dharavath Jethya, Aged 51 yrs, Occ. Coolie, R/o H. No.1-77, Pilli Gundla Thanda, Maryala, Bommaramam, Nalgonda.
4. Ellenki Veeran Kumar @ Yellenki Viran Kumar, S/o. Badraiah, Age. 46 Years, Occ. Business, R/o. H.No.8-4- 600/1, Ganesh Nagar, Karimnagar District.
5. Chintha Sadanandam, s/o Chinta Mondaiyah, Aged 46 yrs, Occ. Business, R/o H. No.2-65, Pothareddypeta, Huzurabad, Karimnagar.

...Petitioner/Accused- 1 to 5

AND

1. The State of Telangana, Rep. by Public Prosecutor, High Court at Hyderabad through S.H.O., P.S. Koyyur, Jayashankar Bhupalapalli District. **Respondent**
2. Endrala Malleshham, S/o. Komuraiah, Age. Unknown, Occ. Deputy Tahsildar (Civil Supplies), R/o. Kuchanapalli Village, Husnabad Mandal, Siddipet District.

...Respondent/Defacto 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 call for the records relating to C.C. No.1608 OF 2022 on the file of the I Addl. Junior Civil Judge cum I Addl. Judicial Magistrate of First Class (Juvenile) Court, Jayashankar Bhupalapally against the Petitioners/Accused No.1-5 and quash the same.

I.A. NO: 1 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 in C.C. No.1608 OF 2022 on the file of the Hon'ble I Addl. Junior Civil Judge cum I Addl. Judicial Magistrate of First Class

(Juvenile) Court, Jayashankar Bhupalapally including appearance of the Petitioners/Accused No.1-5 till the disposal of the Criminal Petition in the interest of the justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Mr ANUGANTI PRANEETH, Advocate for the Petitioners 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

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.12788 OF 2026

Date: 07.08.2026

Between:

Daravath Ravi and 4 others

...Petitioners

AND

The State of Telangana and another

...Respondents

ORDER

This Criminal Petition has been filed seeking to quash the proceedings in C.C.No.1608 of 2022 on the file of the I Additional Junior Civil judge-cum-I Additional Judicial Magistrate First Class (Juvenile) Court, Jayashankar Bhupalapally, wherein the petitioners were arrayed as accused Nos.1 to 5 for the offences punishable under Section 420 of IPC and Section 7 of the Essential Commodities Act, 1955 (for short 'EC Act').

2. Heard Mr.Anuganti Praneeth, learned counsel for the petitioners and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1.

3. The specific allegation against the petitioners/accused nos.1 to 5 is that they have procured PDS rice from the beneficiaries at cheaper rate to sell the same for profit and on 07.03.2018, the petitioners were found in possession of 34 Quintals of PDS rice.

4. Learned counsel for the petitioners would submit that without there being any complaint from any beneficiary, alleging that the rice was procured deceptively or with a criminal intent and charging the petitioners for prosecution is untenable and improper. The allegations, even taken at their face value cannot be sustained against the petitioners. Further, this Court, in Crl.P.Nos.5709 of 2019 and 3349 of 2015, while considering the same situation, categorically observed that the offences alleged against the petitioners therein could not be continued and accordingly quashed the proceedings. The petitioners are also entitled to the same relief and hence prayed to quash the proceedings against the petitioners.

5. The learned Additional Public Prosecutor submits that as per prosecution, the offences said to have been committed by the petitioners is cheating and violation of Section 7 of the EC Act and requested to pass appropriate orders.

6. Section 7 of the EC Act contemplate that any person contravenes with the production, supply, distribution and trade of essential commodities, is punishable. As per the prosecution, the petitioners have procured PDS rice from the beneficiaries after supply from the dealer.

7. A Coordinate Bench of this Court in Crl.P.No.7227 of 2025 has considered the identical facts and observed that:

"There is no averment indicating that the petitioner in any way deceptively induced the beneficiaries to part with the supplied PDS rice or the beneficiary entrusted the PDS rice purchased by them with the petitioner and they dishonestly misappropriated or converted to their own use or used it in violation of a lawful direction or contract. In the absence of essential factors, on the face of prosecution, this Court finds it to be a fit case to exercise the jurisdiction under Section 528 of BNSS, 2023. Thus, continuance of proceedings against the petitioner is abuse of process of law".

8. The facts and circumstances of the present case also similar to those in the above case and hence, this Court finds it to be a fit case to exercise jurisdiction under Section 528 of BNSS by applying the same analogy and to quash the proceedings against the petitioners herein.

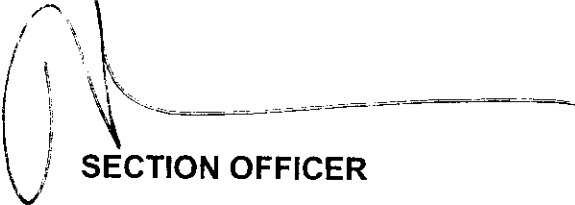
9. Accordingly, the Criminal Petition is allowed and the proceedings in C.C.No.1608 of 2022 on the file of the I Additional Junior Civil judge-cum-I Additional Judicial Magistrate First Class

(Juvenile) Court, Jayashankar Bhupalapally, against the petitioners/accused Nos.1 to 5, are hereby quashed.

Pending miscellaneous applications, if any, shall stand closed.

**SD/- B. REKHA RANI
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The I Addl. Junior Civil Judge cum I Addl. Judicial Magistrate of First Class (Juvenile) Court, Jayashankar Bhupalapally (Call for Records)
2. The Station House Officer, Koyyur Police Station, Jayashankar Bhupalapalli District.
3. One CC to Mr. ANUGANTI PRANEETH Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR High Court for the State of Telangana, at Hyderabad [OUT]
5. Two CD Copies

RC/GNK



HIGH COURT

DATED: 07/08/2026

ORDER

CRLP.No.12788 of 2026



Allowing the Criminal Petition

⑧
kpr
19/8/26