

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

**THURSDAY, THE TENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 13984 OF 2026

Between:

Sri. Ragula Ajay, S/o. Linga Swamy , aged 24 years, Occ. Pvt work R/o. 1-53,
Rahimkhanpet, Illanthakunta Mandal, Rajanna Sircilla Dist.. TG

...PETITIONER/ACCUSED

AND

1. The State of Telangana, Rep., by its Public Prosecutor High Court for the
State of Telangana at Hyderabad, Through PS, Karimnagar II Town TG

...RESPONDENT No. 1/COMPLAINANT

2. Parupelli Rajeshwari, D/o. Raja Narsaiah, aged 23 years, Occ. Student, R/o.
Dharmapuri Village, Jagityal Dist., TG

...RESPONDENT No. 2/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 Crime No. 498 of 2026, dated 19-08-2026 of P S Karimnagar II Town Karimnagar Dist., TG, On the file of the Judicial Magistrate of Firs Class (Special Mobile) Karimnagar and quash the same against the petitioners/accused.

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 stay all further proceedings including arrest of the petitioner/ accused in Crime No. 498 of 2026. dated 19-08-2026 of P S Karimnagar II Town Karimnagar Dist., TG, On

the file of the Judicial Magistrate of First Class (Special Mobile) Karimnagar, pending disposal of the above criminal petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Bethi Venkateswarlu, Advocate for the Petitioner, Sri V. Jithendar Rao, Additional Public Prosecutor on behalf of the 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.13984 of 2026
(CNR No. HBHC010587102026)

Date: 10.09.2026

Between:

Sri Ragula Ajay

...Petitioner/Sole Accused

AND

The State of Telangana and another

...Respondents

ORDER:

This Criminal Petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 by the petitioner/accused seeking to quash the proceedings in Crime No.498 of 2026 of Karimnagar II Town, Karimnagar District, registered for the offences punishable under Sections 78(2) of the Bharatiya Nyaya Sanhita, 2023 (for short 'the BNS') and Sections 3(1)(r)(s) and 3(2)(v)(a) of the SCs/STs (POA) Amendment Act, 2015 (for short 'the SCs/STs Act').

2. Learned Additional Public Prosecutor submitted that pursuant to the order dated 31.08.2026, the concerned Investigating Officer

served notice to respondent No.2 on 01.09.2026 and placed a copy of the said notice. In spite of the same, respondent No.2 has not chosen to enter appearance. Hence, this Court is not having any option except to proceed with the matter in accordance with law.

3. Heard Mr. Bethi Venkateshwarlu, learned counsel for the petitioner, and Mr.V.Jithendar Rao, learned Additional Public Prosecutor for respondent No.1. With their consent, this criminal petition is disposed of at the stage of admission.

4.1 Learned counsel for the petitioner submitted that the petitioner has not committed any offence and has been falsely implicated in the present crime. He further submitted that the petitioner has not abused respondent No.2 in the name of her caste. Even according to the allegations, the alleged words were not used within the public view. Hence, the ingredients of Sections 78(2) of the BNS and Sections 3(1)(r)(s) and 3(2)(v)(a) of the SCs/STs Act are not attracted. Hence, continuation of the proceedings against the petitioner is a clear abuse of the process of law.

4.2 He further submitted that the offences levelled 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') and 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.

5.1 *Per contra*, the learned Additional Public Prosecutor submitted that there are specific allegations in the complaint about the abusive words against the petitioner. Whether the allegations levelled in the complaint are true or not, the same will be revealed during the course of investigation, especially the investigation is under progress.

5.2 He further submitted that the offences levelled against the petitioner are punishable with imprisonment of less than seven years and the Investigating Officer will follow the due procedure as contemplated under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') and the guidelines issued by the Apex Court in *Arnesh Kumar* (*supra*). However, the petitioner shall cooperate with the investigation. Hence, the petitioner is not entitled to seek quashing of the proceedings at this stage.

¹(2014) 8 SCC 273

6. The learned counsel for the petitioner by way of reply submitted that the petitioner will cooperate with the investigation.
7. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the offences levelled against the petitioner are punishable with imprisonment of less than seven years. Even according to the learned Additional Public Prosecutor, the Investigating Officer wants to follow the due procedure as contemplated under Section 35(3) of the BNSS.
8. In view of the same, the petitioner/accused is directed to appear before the Investigating Officer on or before 26.09.2026 and on such appearance, the Investigating Officer is directed to scrupulously follow the due procedure as contemplated under the provisions of the BNSS and the guidelines issued by the Hon'ble Apex Court in **Arnesh Kumar** (supra). The petitioner shall cooperate with the investigation. It is needless to mention that the petitioner is entitled to put forth his grievance before the Investigating Officer by raising all the pleas which are available to him and he is also entitled to submit the documents which are in his custody.

9. With the above directions, the Criminal Petition is disposed of.

Miscellaneous applications, pending if any, shall stand closed.

**SD/- MOHD.ISMAIL
DEPUTY REGISTRAR**

//TRUE COPY//

6

SECTION OFFICER

To,

1. The Station House Officer, Karimnagar II Town Police Station, Karimnagar
2. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
3. One CC to Sri Bethi Venkateswarlu, Advocate [OPUC]
4. Two CD Copies

VH/BA 

HIGH COURT

DATED: 10/09/2026

ORDER

CRLP.No.13984 of 2026



**DISPOSING OF THE
CRIMINAL PETITION**

7 Copies

T-P
16/09/26