

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

MONDAY, THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HON'BLE SHRI JUSTICE ANIL KUMAR JUKANTI

CRIMINAL PETITION No: 841 of 2025

Between:

1. Bandi Saiteja @ Bandi Sai Krishna Goud, S/o Thirupathi, Aged about 23 years, Occ. Student, R/o H.No.4-36, Thangallapalle, Karimnagar District, Telangana - 505 405.
2. Gajula Praveen, S/o Umashankar, Aged about 22 years, Occ. Student, R/o H.No.7-80, Thangallapally, Thadur, Karimnagar District, Telangana - 505 405.
3. Ganga Ramana, S/o Ganga Narsaiah, Aged about 22 years, Occ. Student, R/o H.No.9-31, Thangallapally, Karimnagar District, Telangana - 505 405.
4. Ankarapu Madhu, S/o Ashok, Aged about 24 years, Occ. Student, R/o H.No.11-34, Thangallapalli, Karimnagar District, Telangana - 505 405.

...Petitioners/A-1 to A-4

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court for the State of Telangana Hyderabad Through SHO, Thangallapally P.S., Rajanna Sircilla District.
2. Lingam Saichand, S/o Lachaiah, Aged about 24 years, Occ. Student, R/o Mandepally Village, Thangallapalli Mandal, Karimnagar District.

...Respondents/Complainant

Petition under Section 528 of B.N.S.S. 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 in FIR No.32 of 2025 pending on the file of Thangallapally Police Station, Rajanna Sircilla District and quash the same.

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 grant stay of all further proceedings including arrest of the petitioners in FIR No.32 of 2025 pending on the file of Thangallapally Police Station, Rajanna Sircilla District, pending disposal of the main Criminal petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Mr. Y. Bala Murali, Advocate for the Petitioners and the Ms. S. Madhavi, Assistant Public Prosecutor on behalf of the Respondent No.1 and None Appeared for the Respondent No.2.

The Court made the following: ORDER

THE HON'BLE SHRI JUSTICE ANIL KUMAR JUKANTI

CRIMINAL PETITION No.841 OF 2025

ORDER:

This Criminal Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (for short 'BNSS') by petitioners/accused Nos.1 to 4 to quash the proceedings against them in FIR No.32 of 2025 of Thangallapally Police Station, Rajanna Sircilla. The offences alleged against petitioners are under Sections 296(b), 115(2), 329(4) and 324(4) r/w 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and 3(i)(r)(s) and 3(2)(va) of SC/ST Act.

2. Heard Mr. Y.Bala Murali, learned counsel for the petitioners and Ms. S. Madhavi, learned Assistant Public Prosecutor for the respondent – State. Perused the material on record.

3. When the matter was listed on 31.01.2025, this Court directed petitioner to take personal notice by RPAD and file proof of service. Today, a copy of personal notice served on respondent No.2 is placed on record, copy has

been served on respondent No.2 physically and copy of postal notice is also placed on record.

4. It is averred in the complaint dated 18.01.2025 that respondent No.2 was beaten by petitioners/accused Nos.1 to 4 on 14.01.2025 on the road in front of his house abusing in the name of his caste. It is also stated that respondent No.2 ran into his house and tried to call Police and that accused snatched his phone and broke the phone and also attacked his parents.

5. Learned counsel for petitioners submitted that complaint is baseless and is a false complaint only to harass the petitioners and that there is no motive or intention for petitioners to attack respondent No.2. It is further submitted that even as per the complaint dated 18.01.2025, the incident took place on 14.01.2025 and that there is no explanation for the delay in lodging the complaint after 4 days. It is contended that the very fact that complaint is lodged after 4 days is an indication that it is a false case, misusing the Special Act of SC/ST atrocities and only trying to indict the petitioners in false cases. It is

also submitted that when there is no proper explanation forthcoming for the delay, the said FIR can be quashed.

6. It is submitted by learned counsel for petitioners that accused Nos.2 to 4 are ready and willing to cooperate with the investigation and necessary orders be passed. Learned counsel for petitioners stated across the Bar that he is seeking dispense with of accused Nos.2 to 4 and that an anticipatory bail application filed is pending in respect of accused No.1.

7. Learned Assistant Public Prosecutor submits that statements under Section 161 Cr.P.C. are recorded by the Police and charge sheet is yet to be filed and the case is under investigation, hence, no interference is necessitated. Learned counsel has drawn the attention of this Court to the statement of respondent No.2 and contended that respondent No.2 was attacked in front of his house, his mobile snatched and broken it. It is further stated that accused are absconding, the bail application filed by accused No.1 is pending before the competent Court.

8. Heard learned counsels and perused the record.
 9. Perused the record and statements recorded by the Police. Incident occurred on 14.01.2025 and the complaint is lodged on 18.01.2025. The statement is recorded by the Police on 19.01.2025. There is no explanation forthcoming for the delay of 4 days in filing the complaint. Except for stating that complainant was under the fear of attack. It is trite to note that the version before the Police is much more an improvised version when compared to the complaint.
 10. Be that as it may, the delay is not properly explained and Sections under SC/ST atrocities Act have been included on the ground that petitioners abused the complainant, except for bald allegations, there are no overt acts of who allegedly abused in the name of caste. After perusing the entire record, this Court deems it appropriate to dispose of this criminal petition by directing petitioners to cooperate with the investigation being conducted by the Police and appear before the Investigating Officer. Police shall not harass the petitioners/accused Nos.2 to 4.
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11. It is made clear that petitioners shall be present before the Investigating Officer, if their presence is necessary for the purpose of investigation. It is also made clear that if they do not present themselves before the Investigating Officer, as required, this order shall stand vacated automatically. Any observation made in this order shall not influence the Court while considering or conducting the case at the time of trial.

12. With the above observations, this Criminal Petition is disposed of.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/- A.V.S. PRASAD
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Judicial Magistrate of First Class at Siricilla.
2. The Station House Officer, Thangallapall Police Station, Rajanna Siricilla District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to Mr. Y. Bala Murali, Advocate [OPUC]
5. Two CD Copies

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HIGH COURT

DATED:10/02/2025

ORDER

CRLP.No.841 of 2025



**DISPOSING OF THE
CRIMINAL PETITION**

⑧
12/02/25
lvs