

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

**FRIDAY, THE TWENTY FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION NO: 3942 OF 2025

Between:

Smt. M. Anusha,, W/o Dilak Kumar, Occ Pvt Employee Aged about 34 years,
R/o 1-16-148/2, Madhavi Nagar Colony, Alwal, Secunderabad.

...PETITIONER

AND

1. State of Telangana,, Rep by its Public prosecutor, High Court at Hyderabad.
2. B. Chittemma,, W/o late Venkatesh,Housewife Aged about 60 years, R/o 1-16-148/2, Madhavi Nagar Colony, Alwal, Secunderabad.

...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 proceedings in crime. No.239 of 2025 on the file of the Alwal Police Station, Cyberabad in so far as the petitioner is concerned in the interest of justice.

I.A. NO: 2 OF 2025

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 of arrest of the petitioner in Crime No.239 of 2025 On the File of Alwal Police Station, Cyberabad pending disposal of the CrI Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Koppula Gopal, Advocate for the Petitioner and the Public Prosecutor (TG) on behalf of the Respondent No. 1and of Sri_Advocate for the Respondent No.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE N. TUKARAMJI

CRIMINAL PETITION No.3942 of 2025

ORDER:

This Criminal Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS, 2023') seeking quashment of the proceedings in FIR No.239 of 2025 of PS Alwal, against the petitioner.

2. Heard Mr.K.Gopal, learned counsel for petitioner and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for the respondent No.1-State.

3. The petitioner is arrayed as accused in FIR No.239 of 2025 for the offences under Sections 118 (1) and 127 (1) of Bharatiya Nyaya Sanhita, 2023.

4. Learned counsel for the petitioner would submit that though the petitioner is determined to see the process through and the alleged offences are punishable with an imprisonment less than seven years, the Police concerned has not issued any notice under Section 35 (3) of BNSS, 2023, as such the petitioner is apprehending coercive measures against her. He further submits as the petitioner is ready to cooperate with the investigation, hence prayed for necessary directions for issuance of notice as per law.

5. Learned Additional Public Prosecutor submits that the Police concerned are prepared to issue 35 (3) of BNSS, 2023 notice.

6. I have perused the materials on record.

7. Having regard to the fact that the alleged offences are punishable with an imprisonment upto seven years and as the petitioner is ready to engage herself in the process, without going into merits of the matter, the Investigating Officer concerned is directed to issue notice under Section 35 (3) of BNSS, 2023 against the petitioner and conduct proceedings as per the guidelines of **Arnesh Kumar v. State of Bihar¹** scrupulously. In unison, the petitioner is directed to cooperate with the investigation.

8. With this direction, this Criminal Petition is disposed of.

Miscellaneous petitions, pending if any, shall stand closed.

Sd/- MOHD. ISMAIL
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The X Additional metropolitan Magistrate at Medchel, Cyberabad.
2. The Station House Officer, Alwal Police Station, Cyberabad.
3. Two CCs to The Public prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to Sri Koppula Gopal, Advocate [OPUC]
5. Two CD Copies

SR/psl

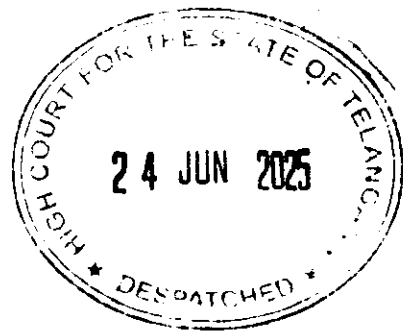
PA

HIGH COURT

DATED:21/03/2025

ORDER

CRLP.No.3942 of 2025



DISPOSED OF THE CRIMINAL PETITION

⑧ P/A
2/6/25