

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

**MONDAY, THE SEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONO'BLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 4581 OF 2025

Between:

Dinthakurthi Abhi Subramanyam, S/o. Brahmaiah Abhi, Aged about 39 years,
Occ. Business, R/o.H.No.8-3-884/1, A-28 Madhura Nagar, Ameerpet,
S.R.Nagar, Hyderabad.

...Petitioner/Accused No.1

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court for the State of Telangana At Hyderabad.
2. Mallempalli Venkateshwarlu, S/o.Narasimha Rao, Aged about 41 years, Occ. Doctor, Abhaya Multi Speciality Hospital R/o.H.No.5-6-20/4, Prakahsam Bazaar, Nalgonda town, Nalgonda District.

...Respondent/Defacto Complainants

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 direct the SHO, Nalgonda I Town Police Station, Nalgonda District to issue the notice U/Sec.41-A Cr.P.C. Notice in F.I.R.No.285 of 2024, dt. 26/11/2024 to the petitioner to enable him to submit his defence.

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 direct the SHO, Nalgonda I Town Police Station, Nalgonda District not to take any coercive steps in F.I.R.No.285 of 2024, dt. 26.11.2024 till the petitioner is served with Sec.41-A Cr.P.C. Notice, 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 Gowri Shankar D, Advocate for the Petitioner and Sri Arun Kumar Doddla, Additional

Public Prosecutor on behalf of the Respondent No.1 and None Appeared for the Respondent No.2.

The Court made the following: ORDER.

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.4581 of 2025

ORDER:

This Criminal Petition is filed under Section 528 Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'the BNSS') by the petitioner/accused No.1 seeking to quash the proceedings against him in Crime No.285 of 2024 on the file of Nalgonda I Town Police Station, Nalgonda, registered for the alleged offences punishable under Sections 318(4), 352 and 351(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'the BNS').

2. Heard Sri D.Gowri Shankar, learned counsel for the petitioner and Sri Arun Kumar Doddla, learned Additional Public Prosecutor for respondent No.1 – State.

3. Without going into the merits of the case, since the punishment prescribed for the offences alleged against the petitioner is less than seven (07) years, this Court deems it appropriate to direct the petitioner to appear before the Investigating Officer on or before 15.04.2025 between 11:00 a.m. and 05:00 p.m. and in turn, the Investigating Officer is directed to follow the procedure laid down under Section 35 (3) of the BNSS (previously, Section 41-A of Criminal Procedure Code,

1973) and also the guidelines formulated by the Hon'ble Supreme Court of India in ***Arnesh Kumar v. State of Bihar***¹ scrupulously. However, the petitioner shall submit his defense and co-operate with the Investigating Officer as and when required by furnishing information and produce all relevant documents/material required for the purpose of the investigation and the Investigating Officer shall consider the same before filing appropriate report before the learned Magistrate concerned.

4. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications, if any pending, shall also stand closed.

SD/-A.SREENIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial First Class Magistrate At Nalgonda.
2. The Station House Officer, Nalgonda 1-Town, Nalgonda District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. (OUT)
4. One CC to SRI. Gowri Shankar D Advocate [OPUC]
5. Two CD Copies

DS/PSL

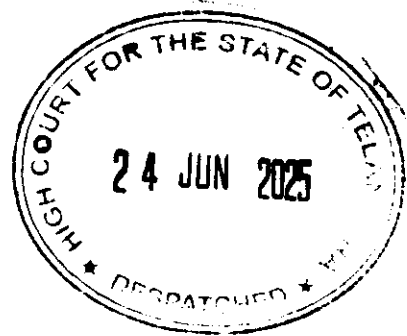
¹ (2014) 8 SCC 273

HIGH COURT

DATED:07/04/2025

ORDER

CRLP.No.4581 of 2025



**THE CRIMINAL PETITION IS
DISPOSED OF AS INFRUCTUOUS**

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