

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

FRIDAY, THE FOURTH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 4604 OF 2025

Between:

1. Pith Madimsudhan, S/o. Late P. Ramulu, Aged about. 35 Years, Occ. Private Employee, R/o.BizwarVaage,TandurMandal, Vikarabad District.
2. PitlaNagamani, W/o. late P. Ramulu, Aged about. 55 Years, Occ. Housewife, R/o.BizwarVillagP,TandurMandal, Vikarabad District.
3. AnandagariMaMtila, W/o.Nagaraju, Aged about 38 Years, Occ. HotisPhold, R/o.BizwarVillagr,TandmMandal, Vikarabad District.
4. AnandagariNagaraju, S/o. Late Shankeraiah, Aged about. 45 Years, Occ. Govt Employee, R/o.Bizwar Village, TandarMandal, Vikarabad District.
5. BoiniArcizma, D/o. Hannanthu Aged about 24 Years,Occ.Housewife, R/o. Bonkur Village, TandmMandal,Vikarabad District.
6. Chanirnkala, W/o. Harmanthu, Aged about. 43 Years,Occ.Housewife, R/o. Bonkur Village, TandarMandal,Vikarabad District.
7. Hanmanthu, S/o. Narayana, Aged about. 45 Years,Occ. Agrirulture, R/o. Bonkur Village, TandurMandal,Vikarabad District.
8. Raghupathi Reddy, S/o. Pochi Reddy, Aged about. 65 Years,Occ. Agriculture, R/o.BizwarVillnge,TandurMandal, Vikarabad District.
9. Narender Reddy, S/o. Late Narsi Reddy, Aged about. 40 Years, Occ. Ex-Sarpanch, R/o. Bonkur Village, TandurMandal,Vikarabad District.
10. Pitla Srinivas, S/o. Anjilappa, Aged about. 30 Years, Occ. Govt. Employee, R/o.BizwarVillag-TandamMandal, Vikarabad District.

...Petitioner/Accused 1 to 10

AND

1. The State of Telangana, Rep.by its Public Prosecutor, High Court for the State of Telangana,Hyderabad.
2. Smt. NallaAvanthi, W/o. PitlaMadhusudan, Aged about 9 Years, Occ. Govt. Employee, R/o.Bizwar Village, Tanclur Mandal, Vikarabad District. Presently residing at. H.No.2-2-143/C4, Tulasi Nagar, Tandur Town and Mandal, Vikarabad District -501141.

... De-facto Complainant/Respondents

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 pertaining to Crime No. 3 of 2025, on the file of P.S. Tandur Town, Vikarabhad.

I.A. NO: 1 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 concerned SHO to follows guidelines of Arnesh Kumar Judgment and issue 35(3)(1) BNSS notice and pass such other order or orders which this Court may deem fit and proper in the circumstances of the case in connection with the Crime No.3 of 2025, on the file of P.S. Tandur Town, Vikarabad.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Venkataiah Ediga, Advocate for the Petitioner and the 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 HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.4604 of 2025

ORAL ORDER:

This Criminal Petition is filed under Section 528 Bharatiya Nagarik Suraksha Sanhita (for short 'BNSS') to quash the proceedings against the petitioners/accused Nos.1 to 10 in Crime No.3 of 2025 of Tandur Town Police Station, Vikarabad District, registered for the offences punishable under Sections 494 and 420 read with 109 of IPC and Section 175(3) of BNSS.

2. Heard Sri E. Venkataiah, learned counsel appearing on behalf of the petitioners as well as learned Assistant Public Prosecutor appearing on behalf of respondent No.1- State.

3. Without going into the merits of the case, since the punishment prescribed for the offences alleged against the petitioners is less than seven (07) years, this Court deems it appropriate to direct the petitioner to appear before the Investigating Officer on or before 21.04.2025 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 BNSS (previously section 41-A of Cr.P.C.) and also the guidelines formulated by the Hon'ble Supreme Court in **Arnesh Kumar v. State of Bihar**¹ scrupulously. However, the petitioners shall submit their 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/- MOHD. ISMAIL
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial Magistrate of First Class, at Tandur, Vikarabad District.
2. The Station House Officer, Tandur Police Station, Vikarabad District.
3. One CC to Sri. Venkataiah Ediga, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana. [OUT].
5. Two CD Copies.

YJR /psl

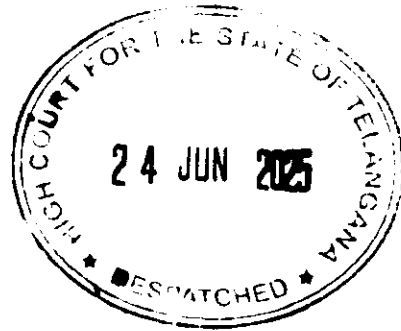
¹ (2014) 8 SCC 273

HIGH COURT

DATED:04/04/2025

ORDER

CRLP.No.4604 of 2025



DISPOSING OF THE CRIMINAL PETITION.

G.M.P.
4/6/25