IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

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

PRESENT

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION NO: 5566 & 5567 OF 2025

CRIMINAL PETITION NO: 5566 OF 2025

Between:

1. Vignesh, S/o. Selvan, aged about 35 years, Occ. Team Lead, Shaadi.com, R/o. 42(2), Anna Street, Thittakudi, Cuddlore, Tamil Nadu - 606106.
2. Satish Nanaiah, S/o. Nanaiah, aged about 45 years, Occ- Manager, Shaadi.com, R/o. No.445, 1st A Cross, 3rd Main Road, Mathikere, Bengaluru - 560054

...PETITIONERS/ACCUSED

AND

1. The State of Telangana, Rep. through its Public Prosecutor, High Court for the State of Telangana At Hyderabad.

RESPONDENT NO.1/ DE-FACTO COMPLAINANTS

2. Dr. Koya Keerthi, D/o. K. Venkkata Thandava Krishna Rao, aged about 31 years, Occ-Doctor, R/o. Flat No.G-1, Parkview Castle, Road No.78, Jubilee Hills, Hyderabad.

...RESPONDENT NO.2/ DE-FACTO 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 call for the records in FIR No.140 of 2025 dated 25.02.2025 registered by P.S.Jubilee Hills and quash the same in so far as the Petitioners/Accused.

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 grant stay of all further proceedings including the arrest of the

Petitioners/Accused herein in relation to FIR No.140 of 2025 dated 25.02.2025 registered by P.S.Jubilee Hills.

CRIMINAL PETITION NO: 5567 OF 2025

Between:

Anupam Mittal, S/o. Gopal Krishna Mittal, aged about 50 years, Occ. Director at People Interactive (I) Pvt. Ltd. R/o. 182, Floor 18, Plot 44 91, Mehar Narz, G.D. Somani Marg, Cuffe Parade, Colaba, Mumbai - 400005.

...PETITIONER/ACCUSED NO.5

AND

1. The State of Telangana, Represented through Public Prosecutor, High Court for the State of Telangana at Hyderabad.

RESPONDENT NO.1/COMPLAINANT

2. Dr. Koya Keerthi, D/o. K. Venkkata Thandava Krishna Rao, aged about 31 years, Occ, Doctor, R/o. Flat No.G-1, Parkview Castle, Road No.78, Jubilee Hills, Hyderabad.

...RESPONDENT NO.2/
DE-FACTO COMPLAINANTS

Petition under Section 528 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 in FIR No.140 of 2025 dated 25.02.2025 registered by P. S. Jubilee Hills and quash the same in so far as the Petitioner/Accused No.5.

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 grant STAY of all further proceedings including the arrest of the Petitioner/Accused No.5 herein in relation to FIR No.140 of 2025 dated 25.02.2025 registered by P.S.Jubilee Hills.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri G ASHOK REDDY, Advocate for the Petitioner and MR. JITHENDER RAO VEERAMALLA, the Public Prosecutor on behalf of the Respondent No.1

The Court made the following: COMMON ORDER

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.5566 and 5567 of 2025

COMMON ORDER

These Criminal Petitions are filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS, 2023') seeking quashment of the proceedings in Crime No.140 of 2025 on the file of the Jubilee Hills Police Station, Hyderabad, against the petitioners-accused.

2. As the petitioners are involved in the same crime and they are seeking quashment of proceedings in Crime No.140 of 2025, all these petitions are heard together and disposed of by way of this common order.

3. The petitioner in Crl.P.No.5567 of 2025 is arrayed as accused No.5 in Crime No.140 of 2025 registered for the offences punishable under Sections 79, 351(2), 319(2), 318(4) r/w 49 & 316(4) and 316(2) of Bharatiya Nyaya Sanhita, 2023 and 66-D of ITA Act-2008, whereas, petitioners in Crl.P.No.5566 of 2025 were issued notice under Section 93/179 BNSS in connection with the said crime.

4. Heard Mr.G.Ashok Reddy, learned counsel for the petitioners and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for the respondent No.1-State.

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

6. Learned Additional Public Prosecutor submits that the Police concerned are ready to issue 35 (3) of BNSS, 2023 notice and as per his instructions, the petitioners are not available for personal service and he may directed to cooperate with the investigation.

7. I have perused the materials on record.

8. Having regard to the fact that the alleged offences are punishable with an imprisonment below seven years and as the petitioners are ready to engage themselves in the process, without going into merits of the matter, the petitioners are directed to appear before the SHO Jubilee Hills Police Station, within (10) days from the date of receipt of a copy of this order, whereupon, the Investigating Officer shall issue notice on the petitioners under Section 35 (3) of BNSS, 2023 in Crime No.140 of 2025 and take up further proceedings as per the guidelines of ***Arnesh Kumar***

v. State of Bihar[1] scrupulously. In unison, the petitioners are directed to cooperate with the investigation. However, the petitioners shall appear before the investigating officer as and when their presence is required. However, the petitioners are at liberty to file appropriate application when the matter kept precipitated.

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

Pending miscellaneous applications, if any, shall stand closed.

SD/- MOHD.ISMAIL
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Station House Officer, Jubille Hills, Hyderabad.
2. One CC to SRI. G ASHOK REDDY, Advocate [OPUC]
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
4. Two CD Copies

Sdr/PSL PA

[1] (2014) 8 SCC 273

HIGH COURT

DATED: 24/04/2025



ORDER

CRLP.No.5566 of 2025

DISPOSING OF THE CRLP NO. 5566 & 5567 OF 2025

(7) PA
23/7/25