

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
THURSDAY, THE FIRST DAY OF MAY
TWO THOUSAND AND TWENTY FIVE
PRESENT

THE HONOURABLE SRI JUSTICE N.TUKARAMJI
CRIMINAL PETITION NO: 6148 OF 2025

Between:

1. Theepireddy Laxma Reddy, S/o.Late Venkat Reddy, Age 65 years, Occ.Business, R/o.H.No.8-5-479, Hyderabad Road, Kothirampur Locality of Karimnagar Proper and District.
2. Theepireddy Anil Kumar Reddy, S/o. Theepireddy Laxma Reddy, Age 42 years, Occ. Business, R/o.H.No.8-5-479, Hyderabad Road, Kothirampur Locality of Karimnagar Proper and District.
3. Katnapelli Raju, S/o.Katnapelli Sudarshnam, Age 61 years, Occ. Business, R/o.H.No.8-5-623, Pochammawada, Kothirampur, Karimnagar.
4. Thuraga Srinivas Reddy, S/o.Gopal Reddy, Age 49 years, Occ. Business, R/o.H.No.2-66/23, Choppadandi Mandal, Katnepalli, Karimnagar.

...PETITIONER/ACCUSED NOS.1 to 4

AND

1. The State of Telangana, through SHO PS Karimnagar I Town, Rep by Public Prosecutor High Court for the State of Telangana.

RESPONDENT/COMPLAINANT

2. Syed Yousuf Hussain, S/o.Syed Ismail, Age Major, Occ. Business, R/o.H.No.1-3-25/1, Jamiya Masjid, Karimnagar.

...RESPONDENT/DEFACTO COMPLAINANT

Petition under Section 528 of BNSS, 2023 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 FIR No.254/2025 dated 25.04.2025 of SHO PS Karimnagar I Town against the Petitioners/Accused No.1 to 4;

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 stay of all further proceedings in FIR No.254/2025 dated 25.04.2025 of SHO PS Karimnagar I Town against the Petitioners/Accused No.1 to 4 including their arrest;

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri KONDADI AJAY KUMAR, Advocate for the Petitioners and Sri Jithender Rao Veeramalla, Addl. Public Prosecutor on behalf of the Respondent No. 1 and none appear for the Respondent No.2;

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.6148 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 Crime No.254 of 2025 of Karimnagar I Town, against the petitioners-accused Nos.1 to 4.

2. The petitioners are arrayed as accused Nos.1 to 4 in Crime No.254 of 2025 registered for the offences punishable under Sections 329(3), 324 (4) r/w 3(5) of BNS, 2023.

3. Heard Mr.Kondadi Ajay, learned counsel for the petitioners and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for the respondent No.1-State.

4. Learned counsel for the petitioners would submit that though the petitioners 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.

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

6. I have perused the materials on record.

7. 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, Karimnagar I Town, Karimnagar District, on or before 18.05.2025, whereupon, the Investigating Officer shall issue notice on the petitioners under Section 35 (3) of BNSS, 2023 in Crime No.254 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.

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

Pending miscellaneous applications, if any, shall stand closed.

¹(2014) 8 SCC 273

//TRUE COPY//

Sd/- N. SRIHARI
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The II Addl. Judicial First Class Magistrate, Karimnagar
2. The Station House Officer, Karimnagar – I Town P.S., Karimnagar
3. One CC to SRI. KONDADI AJAY KUMAR Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad (OUT)
5. Two CD Copies

VSM/kam



HIGH COURT

DATED:01/05/2025



ORDER

CRLP.No.6148 of 2025

DISPOSING OF THE CRIMINAL PETITION

⑧

Kpr
16/5/25