

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

**TUESDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY FIVE**

**PRESENT
THE HONOURABLE SRI JUSTICE N.TUKARAMJI**

CRIMINAL PETITION NO: 7285 OF 2025

Between:

1. Paka Chandramouli, S/o. Lingaiah, Aged about 40 years, Occ. Former, R/o. Gundaram, Dist. Rajanna Sircilla.
2. Konarapeta Sathish @ Bon Sathaiah,, S/o. Narsaiah, Aged about 40 years, Occ. Farmer, Rio. Gundaram, Dist. Rajanna Sircilla.

...PETITIONER/ACCUSED

AND

1. The State of Telangana, Rep by its Public Prosecutor, through Police Station Mustabad, Rajanna Sircilla District High Court of State of Telangana, Hyderabad.
2. The Station House Officer, Police Station Mustabad, Rajanna Sircilla District.
3. T. Naresh, PC No. 4043, Police Station Mustabad, Rajanna Sircilla District.

...RESPONDENT

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 the F.I.R No. 156 of 2025 dated 09.06.2025 on the file of the Police Station Mustabad, Rajanna Sircilla District, against the Petitioners and quash the same

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 stay all further proceedings including the arrest of the Petitioners in relation to Crime F.I.R No. 156 of 2025 dated 09.06.2025 on the file of the Police Station Mustabad, Rajanna Sircilla District,

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This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Srinivas Kudumula, Advocate for learned counsel for the petitioners Mr.Jithender Rao Veeramalla, Petitioner and Additional Public Prosecutor on behalf of the Respondent No.1

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.7285 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.156 of 2025 of Mustabad Police Station, Rajanna Siricilla District, against the petitioners.

2. The petitioners are arrayed as accused in Crime No.156 of 2025 registered for the offences under Sections 303(2) of BNSS, 2023 and Section 3 of Prevention of Damage to Public Property Act, 1984 (PDPP Act).

3. Heard Mr.L.Bhargava Krishna, 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 respectfully submits that although the petitioners are fully committed to cooperating with the investigative process, they are apprehensive of potential coercive action being taken against them. This concern arises from the fact that, despite the alleged offence being punishable with imprisonment for a term less than seven years, the investigating police authority has not yet issued any notice under Section 35(3) of the Bharatiya Nagarik

Suraksha Sanhita, 2023 (BNSS). It is further submitted that the petitioners have no intention of evading the investigation and are willing to extend full cooperation to the authorities. In light of these circumstances, learned counsel prays that appropriate directions be issued to the concerned police officials to proceed in accordance with law by issuing a notice under Section 35(3) of the BNSS, thereby safeguarding the petitioners from any unwarranted coercive measures.

5. Learned Additional Public Prosecutor opposed the petition.

6. I have perused the materials on record.

7. Considering that the alleged offences are punishable with imprisonment for a term less than seven years, and in view of the petitioners' willingness to participate in the investigative process, the petitioners are hereby directed to appear before the Station House Officer (SHO), Mustabad Police Station, within one week from the date of receipt of a copy of this order. Upon such appearance, the Investigating Officer shall issue notice to the petitioners under Section 35(3) of the BNSS, in connection with Crime No.156 of 2025, and shall proceed further strictly in accordance with the guidelines laid down by the Hon'ble Supreme Court in *Amesh Kumar v. State of Bihar*, [(2014) 8 SCC 273]. Simultaneously, the petitioners are directed to extend full

cooperation to the Investigating Officer during the course of the investigation.

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

Pending miscellaneous applications, if any, shall stand closed.

//TRUE COPY//

Sd/- A. PRATHIMA
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Station House Officer, Police Station Mustabad, Rajanna Sircilla District.
2. T. Naresh, PC No. 4043, Police Station Mustabad, Rajanna Sircilla District.
3. One CC to Sri. Srinivas Kudumula Advocate [OPUC]
4. One CC to Sri Jithender Rao Veeramalla, Advocate [OPUC]
5. One CC to SRI. PUBLIC PROSECUTOR Advocate [OPUC]
6. Two CD Copies

PSL/gh

HIGH COURT

DATED:17/06/2025



ORDER

CRLP.No.7285 of 2025

CRIMINAL PETITION IS DISPOSED OF

(S) M.T.
23/6/25