

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

**THURSDAY, THE TWENTY FOURTH DAY OF JULY
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION NO: 9255 OF 2025

Between:

Nallavelli Rajini Babu Reddy @ Nallavelli Rajini Babu, S/ o. Kurma Reddy,
Age. 51 Years, Occ. Business, R/o. 2-88, Pradhana Nagar, Thowklapur
Village, Gundlapally Mandal, Nalgonda District.

...PETITIONER/ACCUSED NO.1

AND

1. The State of Telangana,, through S.H.O., P.S. Dindi, Nalgonda District,
represented by Public Prosecutor, High Court at Hyderabad.

...RESPONDENT

2. Srikala Rathlavath, W/o. Krishnamurthy, Age. 27 years, Occ. Labourer, R/o.
H. NO. 12-351, Katikabanda Thanda, Dindi Mandal, Nalgonda District. Cell
No. 9912798844.

...RESPONDENT/DEFACTOCOMPLAINANT

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 quash the F.I.R. No. 113 of 2025 of P.S. Dindi, Nalgonda District.

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 including arrest of the petitioner/Accused
No. 1 in FIR No. 113 of 2025 of P.S. Dindi, Nalgonda District.

This Petition coming on for hearing, upon perusing the Memorandum of
Grounds of Criminal Petition and upon hearing the arguments of Sri K
VENUMADHAV, Advocate for the Petitioner and Mr. JITHENDER RAO
VEERAMALLA, the Additional Public Prosecutor on behalf of respondent No.1 and
none appeared for the Respondent No.2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No. 9255 OF 2025

ORDER

This petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashment of the proceedings in FIR No.113 of 2025 on the file of P.S Dindi, Nalgonda District, Hyderabad against the petitioner/accused No.1.

2. Heard Mr.K.Venumadhav, learned counsel for petitioner, Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for the respondent No.1-State.

3. The petitioner is arrayed as accused No.1 in FIR No.113 of 2025 facing accusation under Sections 115(2) of BNS, 3(1)(r)(s)(c) SCs/STs POA Act.

4. Learned counsel for the petitioner respectfully submits that although the petitioner is fully committed to cooperate with the investigative process, he is apprehensive of potential coercive action being taken against him. 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 petitioner has no intention of evading the investigation and is 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 petitioner 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 offence is punishable with imprisonment for a term less than seven years, and in view of the petitioner's willingness to participate in the investigative process, the petitioner is directed to appear before the Station House Officer (SHO), P.S Dindi, Nalgonda District, 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 petitioner under Section 35(3) of the BNSS, in connection with FIR No.113 of 2025, and shall proceed further strictly in accordance with the guidelines laid down by the Hon'ble Supreme Court in ***Arnesh Kumar v. State of Bihar***¹.

¹ (2014) 8 SCC 273

Simultaneously, the petitioner is 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.

SD/- U.SUDHA
ASSISTANT REGISTRAR

//TRUE COPY//

FM
SECTION OFFICER

To,

1. The Additional Judicial First Class Magistrate, Devarakonda.
2. The Station House Officer, Dindi Police Station, Nalgonda.
3. One CC to SRI K VENUMADHAV Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad. [OUT]
5. Two CD Copies

GR/GH

PA

HIGH COURT

DATED:24/07/2025

ORDER

CRLP.No.9255 of 2025



DISPOSING OF THE CRIMINAL PETITION

⑧ PA
5/8/25