

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

**FRIDAY, THE TWENTY SECOND DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 10741 OF 2025

Between:

P.M.Sai Prasad @ Pampari Sai Prasad, S/o P. Murali, Aged 35 years, Occ. Politician, Businessman, R/o H.No.1-5-84, Ganaputra Colony, Opposite Shruthi Bar, Old Alwal, Secunderabad.-500 010

...Petitioner/Accused No.1

AND

1. The State of Telangana, Represented by its Public Prosecutor High Court of Telangana through Neredmet Police Station.

...Respondent no.1/Complainant

2. Bazar Sai Kumar Goud, S/o. M Mahesh Goud, Aged 33, Occ. Business, R/o. 38-15/26, Vinobha Nagar, Malkajgiri, Medchal, T.S.

...Respondent no.2/Complainant

Petition under Section 528 of BNSS Act, 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. 616 of 2025, registered with respondent no.1, for the alleged offences under sections 292, 351 (2), 189 R/w 190 of BNS and quash the same in the interest of justice.

I.A. NO: 2 OF 2025

Petition under Section 528 of BNSS Act, 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 in FIR No. 616 of 2025, registered with respondent no.1, for the alleged offences under sections 292, 351 (2), 189 R/w 190 of BNS, including appearance and filing of

charge-sheet, pending disposal of the above Criminal Petition in the interest of justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Mr. C.V.SRINATH, Advocate for the Petitioner and Mr. JITHENDER RAO VEERAMALLA, the Additional Public Prosecutor (TG) on behalf of respondent No.1 and None appeared for the Respondent No.2.

The Court made the following: ORDER

THE HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.10741 of 2025

ORDER:

1. This Criminal Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/accused No.1 seeking to quash the proceedings in Crime No.616 of 2025 of Neredmet Police Station, Rachakonda Commissionerate, registered for the offences punishable under Sections 292, 351(2), 189 read with 190 BNS, 2023.

2. Heard Sri C.V.Srinath, learned counsel for the petitioner/accused No.1 and Sri Jithender Rao Veeramalla, the learned Additional Public Prosecutor appearing for the respondent No.1-State.

3. Learned counsel for the petitioner has submitted that the petitioner has never threatened anyone much less the local residents. The *de facto* complainant has raised false allegations in the complaint stating that the petitioner has created public nuisance with political motive and that since the petitioner is facing false allegations. He further argued that there is delay of 25 days in lodging the complaint. The alleged incident is dated

15.07.2025 while the complaint is lodged on 08.08.2025. He therefore prayed to quash the proceedings against him.

4. On the other hand, the learned Additional Public Prosecutor has opposed the petition saying that just on the ground of delay, the proceedings cannot be quashed and has fairly submitted that the offences alleged against the petitioner is less than seven (07) years. He has also submitted copy of instructions received from the Sub-Inspector of Police, Neredmet Police Station, Rachakonda Commissionerate, wherein it is mentioned that a series of 14 complaints are pending against the petitioner herein.

5. In reply to the same, learned counsel for the petitioner submitted that though there are 14 cases registered against the petitioner, all of them are closed and that only one case is pending before the Ranga Reddy Court.

6. Perused the record. The offences alleged against the petitioner are under Sections 292, 351(2), 189 read with 190 BNS, 2023 which are punishable with less than seven years of imprisonment and the investigation is still pending. It is further

made out that 14 cases were registered against the petitioner/accused No.1 out of which one case is still pending before the Ranga Reddy Court. Thus, in the facts and circumstances of the case, this Court is inclined to direct the Police to follow the procedure laid down under Section 35 (3) of the BNSS (previously section 41-A of Criminal Procedure Code, 1973) and also the guidelines formulated by the Hon'ble Supreme Court of India in **Arnesh Kumar v. State of Bihar**¹ scrupulously. However, the petitioner shall submit his defense and co-operate with the Investigating Officer as and when required by furnishing information and producing all relevant documents/material required for the purpose of investigation and the Investigating Officer shall consider the same and complete the investigation strictly in accordance with law.

7. Accordingly the Criminal Petition is disposed of.

8. As a sequel, miscellaneous petitions, if any pending, shall stand closed.

SD/- AHMED ABDULLA KHAN
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The I-Additional Junior Civil Judge-cum-I-Additional Judicial Magistrate of First Class, Medchal-Malkajgiri District at Kushaiguda. (Call for Records)

2. The Station House Officer, Neredmet Police Station, Rachakonda Dist.
3. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad. [OUT]
4. One CC to Mr. C.V. SRINATH, Advocate [OPUC]
5. Two CD Copies

RC/PSL

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HIGH COURT

DATED: 22/08/2025

ORDER

CRLP.No.10741 of 2025



Accordingly, this Criminal Petition is Disposed of

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