

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

**MONDAY, THE EIGHTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 11549 OF 2025

Between:

Banoth Naveen Kumar, S/o. Thara Singh, Aged about 26 years, Occ. Advocate,
R/o. Indra Nagar, Tandur, N/o. 8-43, Kandenpally Thanda, Peddemul Mandal,
Vikarabad District.

...Petitioner/Accused No.2

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court for the
State of Telangana.

...Respondent No.1/Complainant

2. Dr. M. Santhosh Kumar, S/o. M.J. Chary, Age. 43 years, oet R/o. H.No. 2-2-
259/A, Shanti Nagar, Tandur, Vikarabad District.

...Respondents/De-facto Complainant

Petition under Section 528 of B.N.S.S. praying that in the circumstances
stated in the Memorandum of Grounds of Criminal Petition, the High Court may
be pleased toto Quash the proceedings vide C.C. No. 27 of 2025 the file of the
learned Judicial First Class Magistrate at Tandur, Vikarabad District arising out of
Crime No. 270 of 2024 of P.S. Tandur Town.

I.A. NO: 1 OF 2025

Petition under Section 528 of B.N.S.S. praying that in the circumstances
stated in the Memorandum of Grounds of Criminal Petition, the High Court may
be pleased to stay the proceedings against the Petitioner/Accused in C.C. No. 27
of 2025 the file of the Court of the Judicial First Class Magistrate at Tandur,
Vikarabad District arising out of Crime No. 270 of 2024 of P.S. Tandur Town.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri H Sudhakara Rao, Advocate for the Petitioner and Sri V.Jithender Rao, Additional Public Prosecutor on behalf of the 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.11549 of 2025

ORDER:

This criminal petition is filed seeking to quash the proceedings in C.C. No.27 of 2025 against the petitioner-Accused No.2 on the file of Judicial Magistrate of First Class at Tandur, for the offences under Sections 132, 352, 351(2) read with 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. Heard Mr. H. Sudhakar Rao, learned counsel for the petitioner and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for the respondent No.1-State.

3. Learned counsel for the petitioner submitted that the petitioner is a practicing advocate and that he is facing false allegations and that one of his relatives have expired in the hospital and he requested to deliver the dead body without conducting any post mortem examination, and except that he has not obstructed the duties of the doctors, and therefore, requested to quash the proceedings against the petitioner.

4. Learned Additional Public Prosecutor submitted that the petitioner has demanded to hand over the dead body without conducting PME and when the doctor replied that they cannot hand over body without conducting PME as the cause of the death was due

to hanging and at that time, the petitioner started arguing with the doctor causing disturbance to other chronic patients, who were in the emergency ward, and that the statements of the witnesses need to be tested before the trial court, and hence, prayed to dismiss the petition.

5. Perused the record. A perusal of the record discloses that the statements of the witnesses and the contents of the complaint do point out the *prima facie* allegations against the petitioner. The veracity of the statements of the witnesses will be tested during the course of trial. Hence, in the facts and circumstances of the case, this Court deems it appropriate to dispense with the presence of the petitioner before the trial court and to direct the trial court to dispose of the matter at the earliest.

6. Accordingly this Criminal Petition is disposed of directing the trial court to dispose of the case as expeditiously as possible and dispensing with the presence of the petitioner before the trial court provided he is represented by a counsel before the trial court on every date of hearing and shall appear before the trial court whenever his presence is required during the course of trial.

Miscellaneous Petitions pending, if any, shall stand closed.

SD/-M.NAGAMANI
ASSISTANT REGISTRAR

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SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Tandur, Vikarabad District.
2. The Station House Officer, Tandur Town Police Station, Vikarabad District.

3. One CC to Sri. H Sudhakara Rao, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana. [OUT]
5. Two ~~CCs~~ PSL
5. Two CD copies

PSL
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HIGH COURT

DATED:08/09/2025

ORDER

CRLP.No.11549 of 2025



DISPOSING OF THE CRIMINAL PETITION.

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6/12/25