

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**FRIDAY, THE TWELFTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION NO: 13493 OF 2024

Between:

Kotha Jaipal Reddy, S/o. Satyanarayana Reddy, Aged about 47 years, Occ Business, R/o. H. No. 3- 73, Lakshmidivipally Village, Gangadhara mandal, Karimnagar District.

...PETITIONER/ACCUSED No.20

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court for the State of Telangana At Hyderabad.
2. Neerumalla Shyamsunder, S/o. Venkataiah, Aged about 58 years, Occ Business, R/o. H. No. 1- 5- 90, Laxminagar, Karimnagar, Karimnagar District.

...RESPONDENT/COMPLAINANTS

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 Crime. No. 550 of 2024 against Petitioner/Accused No. 20 On the file Karimnagar II Town Police Station, for the offences U/ Sec. 318(4), 338, 336(3), 340(2), 308(5), 61(2), 351(3), 3(5) of BNS 2023 against the petitioner and pass

I.A. NO: 2 OF 2024

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 grant stay of all further proceedings in Crime. No. 550 of 2024 against the petitioner/Accused No. 20 On the file Karimnagar II Town police station, for the offences U/Sec. 318(4), 338, 336(3), 340(2), 308(5), 61(2), 351(3), 3(5) of BNS 2023. pending disposal of the above criminal petition and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

I.A. NO: 3 OF 2024

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 extend the interim order dt:12.11.2024 passed in I.A No.02 of 2024 in CrI.P.No.13493 of 2024 until further orders and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri THOOM SRINIVAS, Advocate for the Petitioner and Sri M. Ramachandra Reddy Additional Public Prosecutor (TG) on behalf of the Respondent No.1. and of Sri T. Sai Chand Advocate for the Respondent No. 2.

The Court made the following: ORDER

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

THE HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.13493 OF 2024

12TH DECEMBER, 2025

Between:

Kotha Jaipal Reddy.

... Petitioner

AND

The State of Telangana

Rep. through Public Prosecutor and 1 other.

... Respondents

ORDER:

This Criminal Petition is filed by the petitioner-accused No.20 to quash the proceedings against him in Crime No.550 of 2024 on the file of Karimnagar II Town police station. The offences alleged against the petitioner are under Sections 318(4), 338, 336(3), 340(2), 308(5), 61(2), 351(3), 3(5) of Bharatiya Nyaya Samhitha (for short 'BNS').

2. Heard Sri K.Rajashekar, learned counsel representing on behalf of Mr.Thoom Srinivas, learned counsel for petitioner, Sri T.Sai Chand, learned counsel for the respondent No.2 and Sri M.Ramachandra Reddy, learned Additional Public Prosecutor for the State. Perused the record.

3. The case of the prosecution is that the accused persons in Crime No.550 of 2024 have cheated the complainant by creating false document, used as genuine with criminal conspiracy and common intention in order to grab the land, when the complainant asked the A1, the A1 has extorted the complainant by threatening to cause death if he did not give land for the purpose of developments or demanded amount of Rs.25 lakhs. Hence the respondent No.2 filed the present case for the offences under Section 318(4), 338, 336(3), 340(2), 308(5), 61(2), 351(3), 3(5) of BNS.

4. Learned counsel for petitioner submits that the petitioner has purchased a land from accused No.19, which was acquired by the vendor of the petitioner from the father of the complainant vide document No.5670 of 2022, dt.02.12.2022. After purchase of the land, subsequently petitioner sold the land to A9, A10 and A14 vide document No.4719 of 2023, dt.15.09.2023. While so, *de facto* complainant filed a suit for declaration of title and perpetual injunction against A4, A5, A6 and A18 vide O.S.No.244 of 2024 on 08.04.2024 and also filed the present FIR No.550 of 2024 on 29.08.2024 against petitioners/accused Nos.1 to 21. Subsequently, Crl.P.No.14101 of 2024 has been filed by the accused Nos.1 to 18 in this crime, wherein the matter was compromised between the parties and proceedings against them are quashed. He

further submits that petitioner is neither a party to the civil suit nor he is the owner of the land. In fact the petitioner purchased the land and sold the same to third parties through legally enforceable registered documents. Even assuming the allegations in the complaint are true, the present complaint was made by the *de facto* complainant is nothing but abuse of process of law by using crime as tool to settle the civil dispute between *de facto* complainant and other accused persons. The present complaint is lodged only to harass petitioner personally by mentioning his name in the complaint and there is no mention either in the complaint or in the charge sheet as to how the petitioner has cheated the *de facto* complainant and the relationship between the petitioner and *de facto* complainant. Petitioner is a frequent traveler to abroad and the petitioner herein travelled to abroad on 16.02.2024 and the present FIR came to be registered on 29.08.2024, which is illegal and arbitrary and he is totally unaware of the said FIR till last week of October. Hence, prays to allow the criminal petition.

5. Learned counsel for the respondent No.2 as well as learned Additional Public Prosecutor for the State submitted that there are specific allegations against the petitioner and the truth or otherwise would come out only after conducting full-fledged trial by the concerned Court below and prayed to dismiss this Criminal Petition.

6. On perusal of the material, it is evident that the petitioner has purchased a land from accused No.19 and sold to third parties, which is very much prior to the lodging of the civil and criminal cases by the *de facto* complainant against the petitioner along with other accused persons, wherein the petitioner is neither a party to the civil suit nor is there any role of the petitioner as per the averments made in the charge sheet. In view of the civil dispute pending between the complainant and A4, A5, A6 and A18, the present petitioner has been implicated in the present case. However, since the matter between the complainant and A1 to A18 was compromised vide CrI.P.No.14101 of 2024 on 27.11.2025, the case against the present petitioner if still pending is abuse of process of law, without there being any allegation against him. Hence, in view of the submissions made by the learned counsel and there being no civil suit pending against the petitioner herein and since the ingredients of the offences as alleged in the charge sheet are not made out, this Court deems it is a fit case for quashing the proceedings against the petitioner/accused No.20.

7. Accordingly, this Criminal Petition is allowed and the proceedings against the petitioner-accused No.20 in Crime No.550 of

2024 on the file of the Karimnagar II Town Police Station are hereby quashed.

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

Sd/- N. CHANDRA SEKHAR RAO
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The SHO Karimnagar II Town Police Station, Karimnagar District.
2. One CC to SRI. THOOM SRINIVAS Advocate [OPUC]
3. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT].
4. Two CD Copies

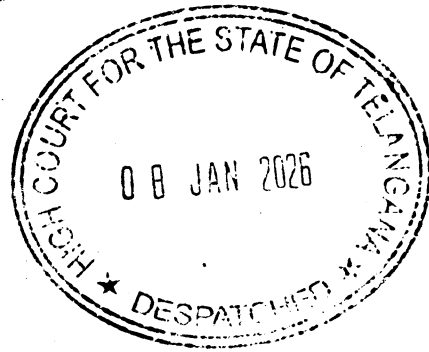
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HIGH COURT

DATED:12/12/2025

ORDER
CRLP.No.13493 of 2024



CRIMINAL PEITITION IS ALLOWED.

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