

THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**FRIDAY THE SEVENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 14406 OF 2025

Between:

1. Ravula Venkanna, S/o.Ravula Ramachandru, Aged 34 years, Occ. Private Employee, R/o.H.No.1-33,Utkur Village of Shaligoraram Mandal, Nalgonda District.

...PETITIONER/ACCUSED NO.7

AND

1. The State of Telangana, rep its Public prosecutor, High court for the state of Telangana, Through S.H.O. P.S. Suryapet Town, Suryapet District.
2. Dr.Konkanchi Hariprasad, S/o.Srinivas, Aged 29 years, Occ. Medical officer, UPHC(Urban Primary Health Centre, R/o. Gopalapuram of Suryapet Town

...RESPONDENT/COMPLAINANT

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 proceedings against the Petitioner/Accused No.7 in Cr.No.287 of 2025 of Suryapet town Police station, Suryapet District in the interest of justice.

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 the arrest of the Petitioner/Accused No.7 in Crime No.287 of 2025 of Suryapet town Police station, Suryapet District, pending disposal of the above quash 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 Sri VEERA BABU GANDU ,Advocate for the Petitioner and Mr V.Jithender Rao Additional Public Prosecutor on behalf of the Respondent No1. and none appear for the Respondent No2.

The Court made the following: ORDER

THE HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.14406 of 2025

ORDER:

1. This Criminal Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking the Court to quash the proceedings against the petitioner/accused No.7 in Crime No.287 of 2025, on the file of Suryapet Town Police Station, Suryapet District, registered for the offences punishable under Sections 318(4), 125 read with 3(5) of BNS, 2023; Section 5(2)(3) of The Medical termination of Pregnancy Act, 1971 and Section 23 of Pre-Conception and Pre-Natal Diagnostic Techniques (PNDT) Act, 1994.
2. Heard Sri Veera Babu Gandu, learned counsel for the petitioner/accused No.7 as well as Sri Jitender Rao Veeramalla, the learned Additional Public Prosecutor appearing for the respondent No.1-State.
3. Learned counsel for the petitioner has restricted his submission stating that a direction be issued to the Police to follow the procedure prescribed under Section 35 (3) of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS').

4. On the other hand, the learned Additional Public Prosecutor has not disputed the same.

5. Considering the submissions of both the learned counsel and the material available on record, it is seen that the allegations alleged against the petitioner are under Sections 318(4), 125 read with 3(5) of BNS, 2023; Section 5(2)(3) of The Medical termination of Pregnancy Act, 1971 and Section 23 of Pre-Conception and Pre-Natal Diagnostic Techniques (PNDT) Act, 1994 and the punishment prescribed for the offences alleged against the petitioner is less than seven (07) years. Hence, without going into the merits of the case, this Court deems it appropriate to direct the petitioner/accused No.7 to appear before the Investigating Officer on or before 27.11.2025 between 11:00 a.m. and 05:00 p.m. and in turn, the Investigating Officer is directed 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/accused No.7 shall submit his defense and co-operate with the Investigating Officer as and when

¹ (2014) 8 SCC 273

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.

6. Accordingly, the Criminal Petition is disposed of.

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

SD/- A.H.S.GOWRI SHANKAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Additional Judicial First Class Magistrate Court at Suryapet
2. The Station House Officer, Police Station Suryapet Town , Suryapet District
3. One CC to SRI. VEERA BABU GANDU Advocate [OPUC]
4. Two CC to SRI. PUBLIC PROSECUTOR High court for the state of Telangana at Hyderabad [OUT]
5. Two CD Copies

AG/PSL



HIGH COURT

DATED:07/11/2025

ORDER

CRLP.No.14406 of 2025



CRLP IS DISPOSED OF

Smt
25/11/25