

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

**TUESDAY, THE TWENTY FIFTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 14531 OF 2025

Between:

Modugula Anil Reddy,, S/o Rama Krishna Reddy, aged about 52 years, Occ.
Software Engineer, R/o H.No.9-58/2, Varni Village, Varni Mandal, Nizamabad
District

...PETITIONER/ACCUSED No. 1

AND

1. The State of Telangana,, Rep by its Public Prosecutor, Through Varni Police
Station, High Court of Telangana State, Hyderabad
2. Gajjavarapu Veeraveni,, W/o Late Lokam Sambashiva Rao, Aged about 64
years, Occ. Housewife, R/o H.No.8-31, Satyanarayanapuram, SN Puram
Village, Varni Mandal, Nizamabad District

...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 in F.I.R.No.248 of 2025, dt.01.11.2025 on
the file of the Varni Police Station, Vani Mandal, Nizamabad District and pass
such other order or orders may deem fit and proper in the circumstances of the
case.

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 grant stay of all further Proceedings in F.I.R.No.248 of 2025,
dt.01.11.2025 on the file of the Varni Police Station, Vani Mandal, Nizamabad
District pending disposal of the main petition and pass such other order or orders
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 Rapolu Abhinav representing Sri Rapolu Bhaskar, Advocate for the Petitioner, and Sri. Jithender Rao Veeramalla the Additional Public Prosecutor (TG) on behalf of the Respondent No. 1 and Sri M. Bhushan Reddy for the Respondent No. 2.

The Court made the following: **ORDER**

THE HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.14531 OF 2025

ORDER:

This Criminal Petition is filed by the petitioner-accused No.1 seeking to quash the proceedings against him in Crime No.248 of 2025 of Varni Police Station, Nizamabad District, registered for the offences under Sections 336(2), 336(3), 340(2) and 338 read with 3(5) of BNS.

2. Heard Sri Rapolu Abhinav, learned counsel representing Sri Rapolu Bhaskar, learned counsel for the petitioner, Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1-State and Sri M. Bhushan Reddy, learned counsel for respondent No.2.

3. Learned counsel for the petitioner submitted that civil disputes are pending between the parties. To settle the scores on civil side, the present case is falsely foisted. He further submitted that the ingredients of Section 338 BNS does not get attracted even according to the allegations in the complaint and that all the other offences are punishable with less than seven years of imprisonment. Therefore, notice under Section 35(3) of BNSS may be issued to the petitioner.

4. Learned Additional Public Prosecutor submitted that the allegation of forgery is made out during the course of investigation and that the police have collected ample material to prove the offences alleged against the petitioner herein. He, therefore, prayed to dismiss the Criminal Petition.

5. Learned counsel for respondent No.2 submitted that a Will Deed has been created by forging the signatures and based on the said Will Deed, the petitioner has entered into an agreement of sale by receiving the advance sale consideration. He further submitted that the petitioner has to face the trial and the proceedings in the present crime cannot be quashed against the petitioner herein.

6. Perused the record.

7. The case of the prosecution is that the *de facto* complainant has married one Lokam Sambashivarao following the death of her first husband and subsequently, on 21.02.2024, the said Lokam Sambashivarao died. The said Lokam Sambashivarao was the owner of Ac.9-24 guntas of land in Thagilepally, Varni Village, and that subsequent to his death, she

approached the revenue authorities to transfer the said property into her name. But, she came to know that these lands have already been registered in the name of Modugula Anil Reddy 10 months ago. It is further alleged that the accused have conspired and created a fake death certificate of her husband and created a fake Will Deed and illegally registered the lands of her husband into their names. It is further alleged that prior to creating the Will Deed, they have also forged the documents stating that her husband Lokam Sambashivarao has sold the property to one Madana Goverdhan Reddy. On learning this, she intended to hold discussion with the elders, but the accused threatened to kill her and to file false cases. Thus, the contents of the complaint point out *prima facie* case against the petitioner herein.

8. Learned counsel for the petitioner contended that Section 338 BNS does not get attracted in the present case, but the prime allegation refers to forgery and creation of a forged Will Deed. Thus, the ingredients of the complaint point out the offence under Section 338 BNS. Therefore, the procedure under Section 35(3) of BNSS cannot be invoked in favour of the petitioner herein. The investigation is still in progress. There are no merits in the Criminal Petition.

9. Accordingly, the Criminal Petition is dismissed.

Miscellaneous Petitions pending, if any, shall stand closed.

Sd/- L. VIJAYA LAXMI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Additional Judicial First Class Magistrat at Bodhan, Nizamabad District.
2. The SHO Varni Police Station, Varni Mandal, Nizamabad District.
3. One CC to SRI. RAPOLU BHASKAR, Advocate [OPUC]
4. One CC to SRI. M. Bhushan Reddy, Advocate [OPUC]
5. Two Copies to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT]
6. Two CD Copies

Pk/DL



HIGH COURT

DATED:25/11/2025

CRLP.No.14531 of 2025



CRIMINAL PEITITION IS DISMISSED.

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15/12/25
BKS