

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

**THURSDAY, THE TWENTY SEVENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 14532 OF 2025

Between:

Koneti Thirupathaiah, S/o. Savaraiah, Aged about 45 Years, Occ. Agriculture,
H No. 5-35/2, Lingal, Lingala Nagarkurnool District.

...Petitioner/Accused-A9

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court at Hyderabad. **...Respondent**
2. A. Anjaneyulu, S/o. Not Known Aged about not known, Occ. Government Officer (MPDO) R/o. Lingal, Lingala, Nagarkurnool Nagarkurnool District.

...Respondent/Defacto Complainant-2

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** in FIR No. 102 of 2024 On the file of P.S. Lingal, Nagarkurnool District dated 08.09.2024 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 **grant** stay of all further proceedings in FIR No. 102 of 2024 On the file of P.S. Lingal, Nagarkurnool District dated 08.09.2024 pending disposal of the main Crl. Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Mr M NARASIMHA, Advocate for the Petitioner and Mr. JITHENDER RAO VEERAMALLA, the Additional Public Prosecutor 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.14532 OF 2025

ORDER:

This Criminal Petition is filed by the petitioner-accused No.9 seeking to quash the proceedings against him in Crime No.102 of 2024 of Lingal Police Station, Nagarkurnool District, registered for the offences under Sections 420, 409 and 109 read with 34 I.P.C.

2. Heard Sri Dunna Ambedkar, learned counsel representing Sri M. Narasimha, learned counsel for the petitioner and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1-State.

3. Learned counsel for the petitioner submitted that there is no whisper in the complaint about the involvement of the petitioner, but however, the police are calling the petitioner to police station by arraying him as an accused and is being harassed. He further submitted that based on political rivalry, a false complaint is being lodged against the petitioner. He further submitted that the offences under Sections 409 and 420 I.P.C. cannot go together. He, therefore, prayed to quash the proceedings in the present crime against the petitioner herein.

4. Learned Additional Public Prosecutor submitted that the petitioner being ex-sarpanch is an influential person and has facilitated job cards even in the name of minors and diverted the funds of Mahatma Gandhi National Rural Employment Guarantee (MGNREG) Scheme, and that the investigation is completed and charge sheet is yet to be filed. He, therefore, prayed to dismiss the Criminal Petition.

5. Perused the record.

6. The Remand Case Diary reveals that A1 to A4 are the Government Officials working on contract basis and A6 to A9 are the private persons, who acted as "MATE" (group leaders). They hail from different Villages and Mandals of Nagarkurnool District. A1 to A5 acted in collusion in a fraudulent manner under the political influence of A6 to A9, cheated the innocent and uneducated beneficiaries of MGNREG Scheme by taking their biometric thumb impressions and in collusion with the postal officials, have drawn excess amount of Rs.3,01,20,361/- from the Government account without visiting the spot physically, without verification as to whether the work is completed or not and without maintaining the records properly. Thus, the allegations

prima facie point out the offences under Sections 420, 409 and 109 I.P.C. against the petitioner herein. The petitioner herein is accused No.9, who is alleged to have been involved in the said offences, and that he being the ex-sarpanch has used his political influence and acted in collusion with the other accused in the commission of the said offences. The contention of the petitioner's counsel is that the offences under Sections 420 and 409 I.P.C. cannot go together. It can only be culled out after a full-fledged trial as to which of the offences attract against the petitioner. The instructions submitted by the learned Additional Public Prosecutor disclose that the petitioner was arrested on 07.11.2025 and that the investigation is completed and charge sheet is to be filed. Thus, in the circumstances, the petitioner is not entitled to any relief and the Criminal Petition lacks merit.

7. Accordingly, the Criminal Petition is dismissed.

Miscellaneous Petitions pending, if any, shall stand closed.

//TRUE COPY//

SD/-C.DEEPIKA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Achampet
2. The Station House Officer, Lingal Police Station, Nagarkurnool Dist.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad. [OUT]
4. One CC to Mr. M NARASIMHA, Advocate [OPUC]
5. Two CD Copies

RCPSI. Kx

HIGH COURT

DATED: 27/11/2025

ORDER

CRLP.No.14532 of 2025



Accordingly, this Criminal Petition is Dismissed

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16/12/20