IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE TENTH DAY OF DECEMBER TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 16348 OF 2025

Between:

1. Chandrabanda Mahadev, S/o Buddnna @ Chandrabanda Buddanna Aged about. 51 Yrs, Occ: Agriculture R/o 4-67, Gattu Mandal, Naudinne, Jogulamba Gadwal District (A-4)
2. Chandrabanda Pavan Kalyan, S/o Chandrabanda Mahadev Aged about. 26 Yrs, Occ: Agriculture R/o 4-67, Gattu Mandal, Naudinne, Jogulamba Gadwal District (A-5)
3. Chandrabanda Shankarappa, S/o.C.Buddaiah Aged about. 46 Yrs, Occ: Agriculture R/o 4-65, Gattu Mandal, Naudinne, Jogulamba Gadwal District (A-6)
4. Boya Veeranna @ J.C. B. Veeranna, S/o Boya Chandra Banda Marappa Aged about. 31 Yrs Occ: Agriculture R/o 4-67, Gattu Mandal, Naudinne, Jogulamba Gadwal District (A-7)

...PETITIONERS/ACCUSED NO.4 TO 7

AND

1. The State of Telangana, Rep. by Public Prosecutor, High Court of Telangana, Hyderabad
2. Pedda Beemarayudu Boya, S/o Late Thikkanna Aged about. 48 Yrs, Occ: Agriculture R/o 2-47,Kaloor Village, Timmanadoddi Village, Nandinne Mandal, Jogulamba Gadwal District

...RESPONDENTS/DE-FACTO 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 FIR in Crime No.169 of 2025 on the file of the P.S.Dharoor (M), Jogulamba Gadwal District against the petitioners/A-4 to 7 and in the remand report Accused No.13 to 16

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 all further proceedings including the arrest of the petitioners/A-4 to A7 and in the remand report A-13 to 16 in Crime No.169 of 2025 on the file of the P.S.Dharoor (M), Jogulamba Gadwal District

This Petition coming on for hearing, upon perusing he Memorandum of Grounds of Criminal Petition and upon hearing the argur ents of Sri BOLLU NAGARAJU, Advocate for the Petitioners and SRI. JITHENDER RAO VEERAMALLA, Additional Public Prosecutor on behalf of tl e Respondent No.1 and None Appeared for the Respondent No.2

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.16348 of 2025

Date: 10.12.2025

Between:

Chandrabanda Mahadev and three others

...Petitioners

AND

The State of Telangana,
Rep. by Public Prosecutor,
High Court of Telangana, Hyderabad and another

...Respondents

ORDER

This Criminal Petition has been filed seeking to quash the proceedings in Crime No.169 of 2025, on the file of Dharoor (M) Police Station, Jogulamba Gadwal, wherein the petitioners were arrayed as accused Nos.4 to 7, for the offences punishable under Sections 103 (1) and 238 (a) r/w. 61 (2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. Heard Mr.Bollu Nagaraju, learned counsel for the petitioners and Mr.Jithendar Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1.

3. Learned counsel for the petitioners submits that the petitioners have not committed the offences and have been falsely implicated in the present case. Even according to the complaint, the names of the petitioners were initially mentioned as accused Nos.4 to 7. Thereafter, in the remand case diary, their status was shown as accused Nos.13 to 16. Even as per the allegations made in the complaint and the remand case diary, the entire allegations are levelled only against accused Nos.1 to 12. There are no allegations, much less specific allegations, against the petitioners to attract the ingredients of the offences under Sections 103(1) and 238(a) r/w. 61(2) of the BNS. The remand case diary itself reflects that the alleged incident occurred due to political rivalry between the deceased and accused Nos.1 to 12. The petitioners were not present at the scene of offence, and there are no specific allegations against them. Hence, continuation of the proceedings against the petitioners amounts to a clear abuse of the process of law.

4. *Per contra*, learned Additional Public Prosecutor submitted that there is a link between accused Nos.1 to 12, the petitioners, and the other accused. He further submitted that specific allegations have been levelled against the petitioners and the other accused, who are stated to have committed grave offences, and the

investigation is still in progress. He further submits that the vehicle belonging to accused No.12 has been seized by the investigating agency. Whether the petitioners have committed the offences or not, whether they had any role in the alleged incident or not has to be revealed during the course of investigation. Since the investigation is still in progress, the petitioners cannot seek quashing of the crime on the grounds raised in the present criminal petition.

5. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it is revealed that, based on the complaint lodged by respondent No.2, Crime No.169 of 2025 was registered for the offences under Sections 103(1) and 238(a) r/w. 61(2) of the BNS. In the said complaint, specific allegations are levelled against the petitioners. It is not in dispute that, in the remand case diary, based on the statements of LWs.1 to 21, recorded by the investigating officers, the status of the petitioners was altered to accused Nos.13 to 16. Even according to the learned Additional Public Prosecutor, the investigation is still in progress. Taking into consideration the gravity of the offences and the fact that the investigation is in progress, this Court is not inclined to quash the proceedings at this

stage. Whether the petitioners had any role in the commission of the alleged offences is a matter to be determined during the course of investigation and, subsequently, during trial. At this stage, this Court does not find any ground to quash the proceedings.

6. Accordingly, the criminal petition is dismissed.

Pending miscellaneous applications, if any shall stand closed.

SD/- A.JAYASREE
ASSISTANT REGISTRAR

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SECTION OFFICER

To,

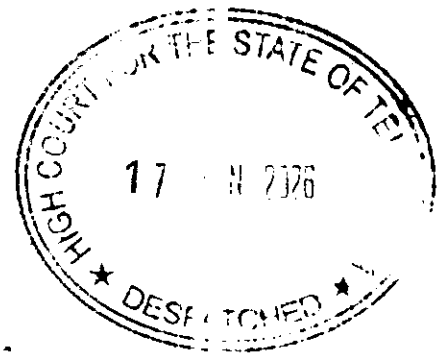
1. The I Additional Judicial Magistrate First Class at Gadwal, Jogulamba Gadwal District
2. The Station House Officer, Dharoor(M) Police Station, Dharoor, Jogulamba Gadwal District
3. One CC to SRI BOLLU NAGARAJU Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
5. **Two CD Copies**

VM/PSL

JKS

HIGH COURT

DATED: 10/12/2025



ORDER
CRLP.No.16348 of 2025

DISMISSING THE CRIMINAL PETITION

(8) .12.2
3/12/25.