IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE SIXTEENTH DAY OF DECEMBER TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION NO: 16827 OF 2025

Between :

1. Golla Sangamesh, S/o.Ramkistaiah Aged about 47 years, occ. Assistant Professor
2. Golla Swaroopa, W/o.Golla Sangamesh, Aged about 46 years, Occ. Household.
   Both are R/o H.No.12-84/1, Gokul Nagar, New Malkapur, Kondapur Mandal, Sangareddy District- 502295.

...Petitioner/Accused Nos.1 & 2.

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court of Telangana at Hyderabad.
2. Rukmamola Anitha, W/o. Prabhaker Goud, Aged about 54 Years, OccHouse wife, R/o Opp. Manikprabhu Temple, Jogipet, Andole Mandal, Sanga Reddy District-502270

...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 FIR No.287 of 2025, dated 22-11-2025, registered on the file of Jogipet Police Station, Sangareddy District against the petitioners herein.

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 in FIR No.287 of 2025, dated 22-11-2025, registered on the file of Jogipet Police Station, Sangareddy District against the petitioners herein.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Katika

Ravinder Reddy, Advocate for the Petitioner and Mr.Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondent No.1.

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.16827 of 2025

Date: 16.12.2025

Between:

Golla Sangamesh and another

...Petitioners

AND

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

...Respondents

Order

This Criminal Petition is filed seeking to quash the proceedings in FIR No.287 of 2025, on the file of the Jogipet Police Station, Sangareddy District, wherein the petitioners were arrayed as accused Nos.1 and 2, for the offences punishable under Sections 318(4) and 351 r/w 3(5) of the Bharatiya Nyaya Sanhitha, 2023.

2. Heard Mr.K.Ravinder Reddy, learned counsel for the petitioners and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1-State.

3. Learned counsel for the petitioners raised several grounds, but restricted his prayer requesting the Court to direct the Investigating Officer to follow the procedure as contemplated under Section 41-A of the Criminal Procedure Code, 1973 (for short, 'Cr.P.C.')/Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') and also the guidelines formulated by the Apex Court in ***Arnesh Kumar Vs. State of Bihar***[1], since the offences levelled against the petitioners are punishable with imprisonment of below seven years.

4. Learned Additional Public Prosecutor submitted that the petitioners may be directed to appear before the Investigating Officer, and on such appearance, the Investigating Officer will issue notice under Section 41-A of the Cr.P.C./Section 35(3) of the BNSS. The Investigating Officer will also follow the procedure as contemplated under law.

5. Taking into consideration the facts and circumstances of the case and the submissions made by the respective parties, without expressing any view on the merits of the case, the petitioners/accused Nos.1 and 2 are directed to appear before the Investigating Officer, on

---

[1](2014) 8 SCC 273

or before 24.12.2025, and on such appearance, the Investigating Officer is entitled to issue notice under Section 41-A of the Cr.P.C./Section 35(3) of the BNSS and follow the guidelines issued by the Apex Court in ***Arnesh Kumar*** supra.

6. It is made clear that the petitioners are entitled to submit reply/explanation along with the documents, which are available with them, to the Investigating Officer.

7. If the petitioners fail to appear before the Investigating Officer, within the stipulated time, the Investigating Officer is entitled to take action against them in accordance with law.

8. Subject to the above directions, the Criminal Petition is disposed of.

Miscellaneous applications, pending if any, shall stand closed.

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

//TRUE COPY//

SECTION OFFICER

To,

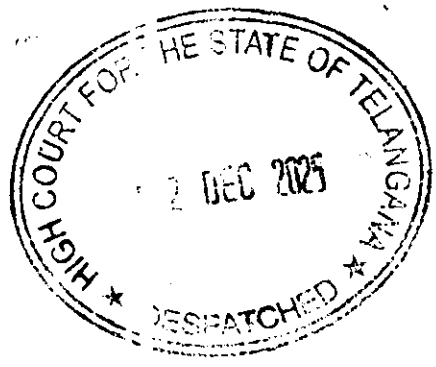
1. The Judicial First Class Magistrate Andole at Jogipet, Sangareddy District.
2. The Station House Officer, Jogipet Police Station, Sangareddy District.
3. Two CCs to the Public Prosecutor, High Court for the state of Telangana, at* Hyderabad. [OUT]
4. One CC to Sri Katika Ravinder Reddy, Advocate [OPUC]
5. Two CD Copies

SVS

HIGH COURT

JSR,J

DATED:16/12/2025



ORDER

CRLP.No.16827 of 2025

DISPOSING OF THE CRLP

(8) kpr
22/12/25