IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

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

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 16980 OF 2025

Between:

Kothinti Narayana, S/o. K. Thimmappa, Age. 52 years , Occupation. Agriculture, R/o Maddelabanda Village,Maldakal Mandal, Jogulamba Gadwal District, Telangana - 509132.

...Petitioner/Accused No.13

AND

1. The State of Telangana, Through SHO Maldakal, Jogulamba Gadwal District. Represented by its Public Prosecutor, High Court of Telangana, Hyderabad-500066.

...Respondent No.1

2. Kurva Muralidar, S/o. Kurva Venkatesh, Aged about 44 years, Occupation. Agriculture, R/o. MaddelabandaVillage,Maldakal Mandal, Jogulamba Gadwal District, Telangana - 509132.

...Respondent No.2/ 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 proceedings against Petitioner/Accused No. 13 in Crime No. 187 of 2025 on the file of P.S. Maldakal, Jogulamba Gadwal District, registered U/Sec. 118(2), 191(2), 191(3), 329(3), 324(4), 115(2), 352, 351(2) R/w. 3(5) BNS.

I.A. NO: 1 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 against Petitioner/ Accused No. 13 in Crime No. 187 of 2025 on the file of P.S. Maldakal, Jogulamba Gadwal District, registered U/Sec. 118(2), 191(2), 191(3), 329(3), 324(4), 115(2), 352, 351(2) R/w. 3(5) BNS including arrest of petitioner/Accused No.13, pending disposal of the quash petition.

This Petition coming on for hearing, upon perusing he Memorandum of Grounds of Criminal Petition and upon hearing the argumer ts of Sri P.Pramodh Sagar ,Advocate for the Petitioner and Sri Jithender Rao Ve eramalla, Additional Public Prosecutor on behalf of Respondent No.1 and ncr e appeared for the Respondent No.2.

The Court made the following: ORDER

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 16980 of 2025

DATE: 17.12.2025

Between :

Kothinti Narayana

....Petitioner/accused No.13

AND

The State of Telangana,
Through SHO Maldakal,
Jogulamba Gadwal District,
Represented by its Public Prosecutor,
High Court of Telangana,
Hyderabad and another

....Respondents

: O R D E R :

This criminal petition has been filed by the petitioner/accused No.13 seeking to quash the proceedings in Crime No.187 of 2025 of Maldakal (M) Police Station, Jogulamba Gadwal District, registered for the offences under Sections 329(3), 329(4), 118(1), 115(2), 352, 351(2), 191(2) and 191(3) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS').

2. Heard Mr. P. Pramodh Sagar, learned counsel for the petitioner, and Mr. Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for respondent No.1 State.

3. Learned counsel for the petitioner submitted that though the offences levelled against the petitioner are punishable with an

imprisonment of less than seven years, the Investigating Officer without following the mandatory procedure as prescribed under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') and the guidelines issued by the Apex Court in **Arnesh Kumar Vs. State of Bihar**[1], proceeding with the investigation and the same is contrary to law.

4. Learned Assistant Public Prosecutor submitted that the Investigating Officer will follow the due 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 Investigating Officer is directed to scrupulously follow the procedure contemplated under Section 35(3) of the BNSS and the guidelines issued by the Apex Court in **Arnesh Kumar** *supra* and conclude the investigation.

6. It is made clear that the petitioner accused No.13 shall cooperate with the Investigating Officer for the investigation and make himself available to him as and when required and also provide the information/documents as sought by him to conclude the investigation.

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[1](2014) 8 SCC 273

7. If the petitioner/accused No.13 fails to cooperate with the Investigating Officer for investigation, the Investigating Officer is at liberty to take action against him 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/- C DEEPIKA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

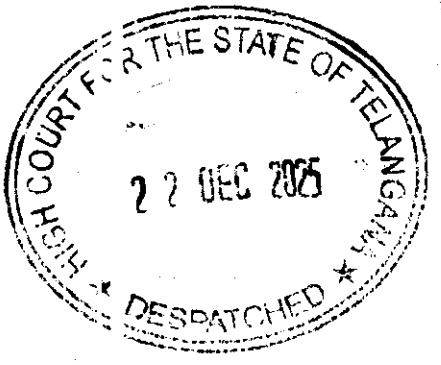
To,

1. The Principal Judicial First Class Magistrate at Gadwal
2. The station House Officer, Maldakal Police Station, Jogulamba Gadwal District
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
4. One CC to SRI P.PRAMODH SAGAR, Advocate [OPUC]
5. Two CD Copies

ADK/ABK

HIGH COURT

DATED:17/12/2025



ORDER

CRLP.No.16980 of 2025

DISPOSING OF THE CRLP

(8) kpr
20/12/25