IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

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

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 17755 OF 2025

Between:

1. Bharat Thakkar, S/o. Chandrakanth Thakker, Aged. 50 years, Occ.Business, R/o. H.No.6-18-330/1, Adarshnagar Colony, Nizamabad.
2. Bhavesh Thakkar @ Bhavesh Thakker,, S/o. Chandrakanth, Occ.Business Takker, age 45 years, R/o. H.No.6-12-71/1, Namdev Wada, Nizamabad Proper and District.
3. Asmukh Takkar @ Hasmukh Thakker,, S/o. Chandrakanth, Occ.Business Takker, age 45 years, R/o. H.No.6-12-71/1, Namdev Wada, Nizamabad Proper and District.

...Petitioner/Accused No.1 to A3

AND

1. The State of Telangana, through S.H.O. P.S. Nizamabad III Town, Nizamabad District, Rep. by Public Prosecutor, High Court at Hyderabad.
2. Sahadev Gadepaga,, S/o. Late Maisaiah, age 68 years, Occ. Business, R/o. Adarshnagar, Nizamabad North Mandal, Nizamabad, Telangana State.

...Respondent

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 call for the records relating to and connected With Sessions case No.72 of 2025 on the file of learned Special Judge for trial of Cases under SCs/STs PoA Act-cum-II Additional District and Sessions Judge, Nizamabad in Cr.No.143 of 2025 of Town III Police Station, Nizamabad, for the offences under Sections 351 (2), 292 r/w 3(5) of BNS, Section 3(1) (r) (s) of SC/ST POA Act and quash the same against the petitioners-A1 to A3.

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 order stay of all further proceedings in with Sessions case No.72 of 2025 on the file of Special Judge for trial of Cases under SCs/STs PoA Act-cum-II Additional District and Sessions Judge, Nizamabad in Cr.No.143 of 2025 of Town III Police Station, Nizamabad, for the offences under Sections 351 (2), 292 r/w 3(5) of BNS, Section 3(1) (r) (s) of SC/ST POA Act including their appearance, pending the disposal of the main Criminal Petition .

This Petition coming on for hearing upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Ms T.Dhana Lakshmi, Advocate, representing Sri VONJARI RAJA SHEKAR REDDY VENKAT RAM REDDY, Advocate for the Petitioner and the Sri Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of the 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 HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.17755 of 2025

Date: 30.12.2025

Between:

Bharat Thakkar and others

...Petitioners

AND

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

...Respondents

ORDER

This Criminal Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioners/accused Nos.1 to 3 seeking to quash the proceedings against them in S.C.No.72 of 2025 on the file of Spl. Judge for trial of cases under SCs/STs PoA Act – cum – II Addl. District and Sessions Judge, Nizamabad, registered for the alleged offences punishable under Sections 351(2) and 292 r/w.3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 3(1)(r)(s) of SC/ST (PoA) Amendment Act-2015.

2. Heard Ms.T.Dhana Lakshmi, learned counsel representing Sri V. Rajashekar Reddy, learned counsel for the petitioners and

Mr.Jithender Rao Veeramalla, learned Addi onal Public Prosecutor appearing for the respondent No.1.

3. Learned counsel for the petitioners subm i ted that the petitioners are in business transactions with respon ent No.2 and that there is no truth in the allegations. She further s bmitted that initially the case was registered under Sections 3 8(4), 316(2), 351(2) and 292 r/w.3(5) of BNS and Section 3(1)(s) of SC/ST (PoA) Amendment Act-2015 and that after c mpletion of investigation the Police have dropped Sections 318( ) and 316(2) of BNS due to lack of evidence, that itself shows th t there is no case at all and that there is no specific allegations o attract the offences under Sections 351(2) and 292 r/w.3(5) of BNS and also under Section 3(1)(r)(s) of SC/ST (PoA) Ame dment Act-2015. Therefore, prayed to quash the proceedings against the petitioners herein.

4. The learned Additional Public Prosecutor ha s submitted that Police recorded statements of eye-witnesses during the course of investigation and that they have colle cted ample evidence to prove the offences against the petitio ers herein,

which is to be tested during the trial. He, therefore, prayed to dismiss the petition.

5. Perused the record.

6. The allegations in the complaint and the recitals of the charge sheet reveal that the petitioners abused the complainant in the name of Caste and also threatned him with dire consequences.

7. According to the submissions of the learned Additional Public Prosecutor, Police have also recorded statements of eye-witnesses during the course of investigation and that they have collected ample evidence to prove the offences against the petitioners herein, which is to be tested during the trial.

8. Therefore, the veracity of the statement of the witnesses and also the truth or otherwise of the allegations can be culled out only after a full fledged trial. Hence, this Court deems it appropriate to dispense with the presence of the petitioners before the trial Court.

9. Accordingly, this Criminal Petition is disposed of dispensing with the presence of the petitioners before the trial court provided

that they are represented by a counsel before the trial court on every date of hearing and shall appear before the trial court whenever their presence is required during the course of trial.

Pending miscellaneous applications, if any shall stand closed.

Sd/- P.C.SULEKHA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Special Judge for trial of Cases under SCs/STs PoA Act-cumII Additional District and Sessions Judge, Nizamabad
2. The Station House Officer, Nizamabad Town-III Police Station, Nizamabad.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
4. One CC to SRI VONJARI RAJA SHEKAR REDDY VENKAT RAM REDDY Advocate [OPUC]
5. Two CD Copies

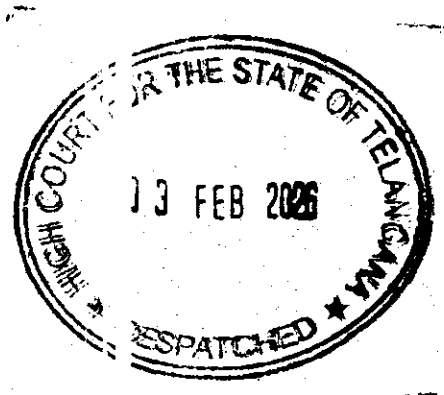
NVB/BA

HIGH COURT

DATED:30/12/2025

ORDER

CRLP.No.17755 of 2025



DISPOSING OF THE CRIMINAL PETITION

(8)

kpv
27/1/26