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: 17758 OF 2025

Between:

Nersu Veera Venkata Satyanarayana, S/o Venkateswara Rao, Aged about 43 years, Occ Business, R/o 1-71, Tatiyakulagudem Village, Jeegulumilli Mandal, Eluru District, Andhra Pradesh State.

...Petitioner/Accused

AND

1. The State of Telangana, Inspector of Police, Cyber Crime Police Station, Rep. by the Public Prosecutor, High Court of Telangana, Hyderabad.

...Respondent/Complainant

2. P. Suresh, S/o P. Venkata Subba Rao, Aged about 49 years, Occ Business, R/o 12-2-506/1/A/1, 2nd floor, Sai Nagar Colony, Gudimalkapur, Hyderabad, Telangana State.

...Respondent/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 Crime No.2278 of 2025 on the file of the Cyber Crime Police Station, Hyderabad District.

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 arrest of this petitioners/Accused No.1 in Crime No.2278 of 2025 on the file of the Cyber Crime Police Station, Hyderabad District, pending disposal of the Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri P V Venkata Ravi Sankar, Advocate for the Petitioner and Sri Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of 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.17758 of 2025

Date: 30.12.2025

Between:

Nersu Veera Venkata Satyanarayana

...Petitioner

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 petitioner/Accused seeking to quash the proceedings against him in Crime No.2278 of 2025 on the file of Cyber Crimes Police Station, Hyderabad, registered for the alleged offences punishable under Sections 66-C and 66-D of IT Act and Sections 318(4) and 319 (2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. Heard Sri P.V. Venkata Ravi Shankar, learned counsel for the petitioner and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for the respondent No.1.

3. Though this petition is filed for quashing the proceedings in the crime, during the course of arguments, learned counsel for petitioner has sought for directions to the Police to proceed with investigation by issuing notice under Section 35(3) of BNSS (Previously Section 41-A of Cr.P.C.).

4. Learned Additional Public Prosecutor has not disputed the same.

5. Considering the submissions of both the counsel and on perusal of the material available on record, it is seen that the allegations are under Sections 66-C and 66-D of IT Act and Sections 318(4) and 319 (2) of BNS and the punishment prescribed for the said offences alleged against the petitioner is less than seven (07) years. Hence, without going into the merits of the case, this Court deems it appropriate to direct the petitioner to appear before the Investigating Officer on or before 27.01.2026 between 11:00 a.m. and 05:00 p.m. and in turn, the Investigating Officer is directed to follow the procedure laid down under Section 35 (3) of the BNSS (previously section 41-A of Criminal Procedure Code, 1973) and also the guidelines formulated by the Hon'ble Supreme Court of India in ***Arnesh Kumar v. State of***

Bihar[1] scrupulously. However, the petitioner shall submit his defense and co-operate with the Investigating Officer as and when required by furnishing information and produce all relevant documents/material required for the purpose of the investigation and the Investigating Officer shall consider the same and shall complete the investigation strictly in accordance with law.

6. If the petitioner fails to appear before the Investigating Officer, within the stipulated time, the Investigating Officer is entitled to take steps in accordance with law.

7. With the above said observations, this Criminal Petition is disposed of.

8. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

[1] (2014) 8 SCC 273

Sd/- K. MADHAVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The IX Additional Chief Judicial Magistrate at Hyderabad
2. The Station House Officer, Cyber Crime Police Station, Hyderabad District
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
4. One CC to SRI P V VENKATA RAVI SANKAR, Advocate [OPUC]
5. Two CD Copies

ADK/SA

HIGH COURT

DATED:30/12/2025



ORDER

CRLP.No.17758 of 2025

DISPOSING OF THE CRLP

(8) kpl
21/1/26