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: 17831 OF 2025

Between:

1. Muttamsetty Krishna Rao, S/o Muttamsetty Venkata Narayana Aged about 56 years, Occ. Business R/o Plot No. 6 and 7,Green Walk Ways,Budvel (V) Rajendranagar (M), Hyderabad, Rangareddy Dist- 500030.
2. Dr. Muttamsetty Vijaya Nirmala, W/o M. Krishna Rao Aged about 56 years, Occ. Chairperson, Nova Medical College R/o. Plot No. 6 and 7,Green Walk Ways, Budvel (V) Rajendranagar (M), Hyderabad, Rangareddy Dist- 500030
3. Muttamsetty Sumedh Yagni, S/o M. Krishna Rao Aged about 30 years, Occ. Vice President, Nova Institute of Medical Sciences and Research Centre, R/o Plot No. 6 and 7,Green Walk Ways, Budvel (V) Rajendranagar (M), Hyderabad, Rangareddy Dist- 500030.
4. Ms. Muttamsetty Akhila, D/o M. Krishna Rao Aged about 28 years, Occ. Joint Secretary, Nova Institute of Medical Sciences and Research Centre R/o Plot No. 6 and 7, Green Walk Ways, Budvel (V) Rajendranagar (M), Hyderabad, Rangareddy District- 500030

...Petitioners/Accused

AND

1. The State of Telangana,, Rep. by its Public Prosecutor, High Court of Telangana at Hyderabad.
2. Sri Kuthadi Srikanth, S/o K. Srinivas Aged about 35 years, Occ. Director, S3 Medical Solutions S.No. 2-252, Sreeram Nagar Colony, Jawahar Nagar Kapra Mandal, Medchal-Malkajgiri District, Telangana.

...Respondents

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 FIR No. 14 of 2025, dated.06.01.2025 registered by Abdullapurmet Police Station, Rachakonda Commissionerate, for the offences under Section 351(2) BNS and Sections 3(1)(r)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and all further

proceedings arising there from in so far as the Petitioners are concerned and pass such other order or orders may deem fit and proper in the circumstances of the case.

I.A. NO: 2 OF 2025

Petition under Section 528 of Cr.P.C 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 arising out of FIR No. 14 of 2025, dated. 06.01.2025, PS Abdullapurmet, Rachakonda Commissionerate, for the offences under Section 351(2) BNS and Sections 3(1)(r)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 act especially 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 KARNATI VENKATA REDDY, Advocate for the Petitioner and the Sri Jithender Rao Veeramalla, Additional Public Prosecutor an behalf of the Respondent No. 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.17831 of 2025

Date: 30.12.2025

Between:

Muttamshetty Krisha Rao and three others

...Petitioners/accused

AND

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

...Respondents

ORDER

This Criminal Petition is filed under Section 528 Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioners/accused seeking to quash the proceedings against them in FIR.No.14 of 2025 on the file of Abdullapurmet Police Station, Rachakonda Commissionerate, registered for the alleged offences punishable under Sections 351(2) of of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Sections 3(1)(r)(s), 3(2)(va) of The Scheduled Castes And The Scheduled Tribes (Prevention Of Atrocities) Act, 1989 (for short 'SC ST POA Act').

2. Heard Sri Karnati Venkata Reddy, learned counsel for the petitioners as well as Sri Jithender Rao Veeramalla, the learned Additional Public Prosecutor appearing for the respondent No.1-State.

3. When the matter is taken up for hearing, the learned counsel for the petitioners submitted that the other accused have already been served with notice under Section 35 (3) of BNSS and that the same relief can be extended to the petitioners herein.

4. Learned Additional Public Prosecutor has not disputed the same and submitted to pass appropriate orders.

5. Thus, without going into the merits of the case, this Criminal Petition is disposed of directing the Investigating Officer 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 petitioners shall submit their defense and co-operate with the Investigating Officer as and when required by

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[1] (2014) 8 SCC 273

furnishing information and produce all relevant documents/material required for the purpose of the investigation and the Investigating Officer shall consider the same and complete the investigation strictly in accordance with law. In case, the petitioner fails to appear before the Investigating Officer within the stipulated time, the Investigating Officer is at liberty to take necessary steps in accordance with law.

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

Sd/- B.G.VYJAYANTHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Station House Officer, Abdullapurment.
2. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
3. One CC to SRI. KARNATI VENKATA REDDY Advocate [OPUC]
4. One CC to SRI. PUBLIC PROSECUTOR Advocate [OPUC]
5. Two CD Copies

NVB/BA

HIGH COURT

DATED:30/12/2025

ORDER

CRLP.No.17831 of 2025



DISPOSING THE CRIMINAL PETITION

(8)
22/01/26