

IN THE HIGH COURT FOR THE STATE OF TELANGANA // AT HYDERABAD

**THURSDAY, THE EIGHTH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 176 OF 2026

Between:

1. Guguloth Bheema, @ Bheemla Naik, S/o Lalya, Aged about 47 years, Occ. Agriculture,
2. Surya Prakash, @ Surya Prathap, S/o G. Bheema, Aged about 23 years, Occ. Student
[All are R/o H.No.5-68/2, Chandya Thanda, Kuravai, VTC, Thattupalle (PO), Warangal District (now Mahabubabad District) - 506 105.]
3. Sai Kumar, S/o Narsimha, Aged about 27 years, Occ. Pvt. Employee, R/o 4-8, Pinnireddygudem, Gopalapuram, Khammam District - 507 210.

...Petitioners/Accused-1 to 3

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court at Hyderabad. **...Respondent-1/Complainant**
2. Shaik Shakeer, S/o. Not known, Age- Major, Occ. Sub-Inspector, Office- PS- Mahabubabad Town, Mahabubabad District.

...Respondent-2/Defacto 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 **Call** for the record and quash the proceedings in FIR No. 568 of 2025 dated 31/12/2025 of PS- Mahabubabad Town, Mahabubabad district.

I.A. NO: 2 OF 2026

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. 568 of 2025 dated 31-12-2025 of PS- Mahabubabad Town, Mahabubabad district, pending disposal of the quash petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Mr ANGOTHU NEHRU, Advocate for the Petitioners and Mr. JITHENDER RAO VEERAMALLA, the 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.176 of 2026

Date: 08.01.2026

Between:

**Guguloth Bheema, @ Bheemla Naik and two others
... Petitioners**

AND

**The State of Telangana,
Rep. by its Public Prosecutor,
High Court at 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 Crime No.568 of 2015 on the file of Mahabubabad Town Police Station, Mahabubabad District, registered for the alleged offences punishable under Sections 296 (b) and 132 r/w. 3 (5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. Heard Mr.Angothu Nehru, learned counsel for the petitioners 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 petitioners 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 296 (b) and 132 r/w. 3 (5) of BNS and the punishment prescribed for the said offences alleged against the petitioners is less than seven (07) years. Hence, without going into the merits of the case, this Court deems it appropriate to direct the petitioners to appear before the Investigating Officer on or before 05.02.2026 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 **Armesh 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 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 petitioners fail 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.

¹ (2014) 8 SCC 273

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

SD/- M. NAGAMANI
ASSISTANT REGISTRAR

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SECTION OFFICER

To,

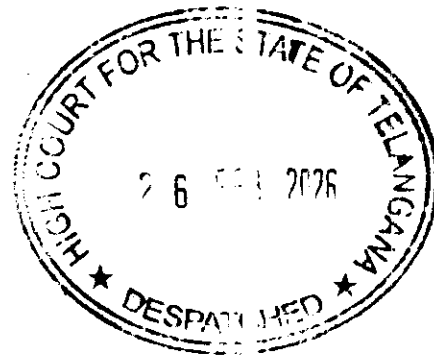
1. The Principal Judicial First Class Magistrate at Mahabubabad.
2. The Station House Officer, Mahabubabad Town Police Station, Mahabubabad District
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad. [OUT]
4. One CC to Mr. ANGOTHU NEHRU, Advocate [OPUC]
5. Two CD Copies

RC/PSL

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HIGH COURT

DATED: 08/01/2026



ORDER

CRLP.No.176 of 2026

Accordingly, this Criminal Petition is Disposed of.

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