IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

MONDAY, THE NINETEENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 351 OF 2026

Between:

Manikanta Shetty, S/o Veeresh Shetty, Aged about 25 Years, Occ: Business, R/o. Narayanpet, Telangana

...PETITIONER/ACCUSED

AND

The State of Telangana,, through S.H.O. Narayanpet Police Station, Narayanpet District, rep. by Public Prosecutor, High Court, Hyderabad

...RESPONDENT/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 proceeding against the Petitioner/Accused in Crime No. 3 of 2026 on the file of P.S. Narayanpet Police Station, Narayanpet District, and consequently direct the Police Narayanpet to return the seized material in Crime No. 3 of 2026

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 direct the Police Narayanpet to release the seized material i.e., 1. Miraj — 09 Boxes (each Box Rs. 7875/-) 2. Sagar Pan Masala — 02 Bags, (Rs. 43050/-), 3. SR-1 Tobacco- 02 Bags (Rs. 28700/-) 4. Vimal Pan Masala - 02 Bags (Rs. 49,920/-), 5. V-1 Tobacco - 02 Bags (Rs. 12,480/-) Entire aforesaid Tobacco Products worth of Rs. 2,05,025/- in Crime No. 3 of 2026 on the file of P.S. Narayanpet Police Station, Narayanpet District to the Petitioner/Accused, pending disposal of the above criminal petition

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri BURRI GRAHESH, Advocate for the Petitioner and SRI. JITHENDER RAO VEERAMALLA, Additional Public Prosecutor on behalf of the Sole Respondent

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.351 of 2026

Date: 19.01.2026

Between:

Manikanta Shetty

...Petitioner/accused

AND

The State of Telangana, through S.H.O.,
Narayanpet Police Station, Narayanpet District,
Represented by the Public Prosecutor,
High Court, Hyderabad.

..Respondent

ORDER

This Criminal Petition is filed under Section 528 of BNSS, 2023 seeking to quash the proceedings against the petitioner/accused in Crime No.3 of 2026, on the file of Narayanpet Police Station, Narayanpet District, registered for the offences punishable under Sections 223, 272, 275 of BNS and Section 20(2) of COTPA.

2. Heard Sri Burri Grahesh, learned counsel for the petitioner/accused as well as Sri Jitender Rao Veeramalla, the

learned Additional Public Prosecutor appearing for the respondent No.1-State.

3. Learned counsel for the petitioner submitted that the present matter is squarely covered by the orders passed by this Court in Crl.P.Nos.12333 of 2024, 152 of 2020 and batch and in several other judgments and therefore prayed to quash the proceedings against the petitioner.

4. Learned Additional Public Prosecutor also submitted that the issue raised in the present Criminal Petition is covered by the earlier order passed in the aforementioned criminal petitions.

5. Perused the record. It is evident that the allegations in the present case pertain to purchase, supply and distribution of Gutka packets, which are similar to the allegations considered in **Chidurala Shyamsunder Vs.The State of Telangana**[1]. In the said case, it was observed that the act of purchase and sale of Gutka does not fall under Section 270 of IPC as it does not spread any infectious disease and further, it is not a noxious food to attract the offence under Section 273 of IPC. It is further observed that similar orders have been passed in Crl.P.Nos.12333 of 2024, 152 of 2020 and batch, Crl.P.No.10362 of 2025 and in several other matters.

[1] Crl.P.No.3731 of 2018 & batch, decided on 27.08.2018

6. Since the allegations in the present case are similar to the above said decisions, this Criminal Petition is allowed in terms of the above said order. The proceedings against the petitioner/accused in Crime No.3 of 2026, on the file of Narayanpet Police Station, Narayanpet District, are hereby quashed. Further, the Station House Officer/Investigating Officer is hereby directed to return the seized property on proper identification and verification under due acknowledgment.

7. Miscellaneous petitions pending, if any, shall stand closed.

SD/- A. JAYASREE
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

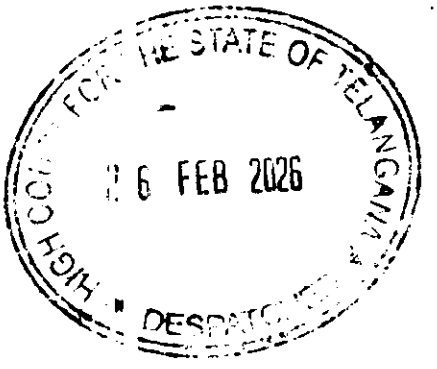
To,

1. The Judicial Magistrate First Class at Narayanapet, Narayanapet District
2. The Station House Officer, Narayanpet Police Station, Narayanpet, Narayanpet District
3. One CC to SRI BURRI GRAHESH Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
5. **Two CD Copies**

VM/PSL

HIGH COURT

DATED: 19/01/2026



ORDER
CRLP.No.351 of 2026

ALLOWING THE CRIMINAL PETITION

(8)
03/02/26