

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: 410 OF 2026

Between:

1. Kaleemullah Mohammed, S/o. Sardar Ali Mohammed, Aged 55 years, Occ Muthawalli, Latheefiya Masjid, R/o H.No. 18-1197, Ashok Nagar, Miryalguda, Nalgonda District 508207, Telangana.
2. Md. Nayeemullah, S/o. Kaleemullah, Aged 26 years, Occ Student, R/o. H.No. 18-1197, Ashok Nagar, Miryalguda, Nalgonda District 508207, Telangana

...Petitioner/Accused Nos. 1 & 2

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court of Telangana, at Hyderabad.
2. Shaik Ahmed Baba, S/o. Shaik Dastagir, Aged 40 years, Occ Mouzan at Masjid-e-Shaik Latheefiya, Ashok Nagar, Miryalguda Town. R/o. H.No. 7-1098/a, Bangarigadda, Miryalguda Town, Nalgonda District.

...Respondents/Complainant

Petition under Section 482 of Cr.P.C R/w 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 impugned proceedings in C.C.No. 232 of 2024, on the file of the Principal Junior Civil Judge - cum - Judicial Magistrate of First Class, at Miryalguda.

I.A. NO: 1 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 grant interim stay of all further proceedings in C.C.No. 232 of 2024, on the file of the Principal Junior Civil Judge - cum - Judicial Magistrate of First Class, at Miryalguda, including appearance and attendance of the petitioners/Accused Nos. 1 and 2, 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 M.V.S. Sai Kumar representing Sri B. Suman Kumar, Advocate for the Petitioner and the Sri Jitender Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondent No.1 and of 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.410 of 2026

DATE OF ORDER:- 19.01.2026

Between:

Kaleemullah Mohammed,
R/o.Nalgonda District & another.

... Petitioners/Accused Nos.1 & 2

AND

The State of Telangana
rep. by its Public Prosecutor, High Court
for the State of Telangana & another .

... Respondents

ORDER:

1. This Criminal Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 seeking to quash the proceedings against the petitioners/accused Nos.1 & 2 in C.C.No.232 of 2024, on the file of the learned Principal Junior Civil Judge -cum- Judicial Magistrate of First Class at Miryalguda, registered for the offences punishable under Sections 427, 341 and 506 read with 34 of IPC.

2. Heard Sri M.V.S.Sai Kumar, learned counsel representing Sri B.Suman Kumar, learned counsel on record for the

petitioners/accused Nos.1 & 2 as well as Sri Jitender Rao Veeramalla, the learned Additional Public Prosecutor appearing for the respondent No.1-State.

3. Learned petitioners' counsel submits that the petitioners are falsely implicated in this case and that they cannot be prevented to enter into the premises of Masjid and cannot allege that they have committed offences under Sections 427, 341 and 506 IPC. He further submitted that the Police have wrongly mentioned in the charge sheet that the injunction orders are in favour of only accused Nos.1 & 2, they can only enter into Masjid to offer prayers and for no other purpose. He further submitted that the injunction orders does not say so and that the petitioners are falsely implicated in this case under the said pretext. He therefore prayed to quash the proceedings against the petitioners.

4. The learned Additional Public Prosecutor has submitted that there are specific allegations against the petitioners that they have written unnecessary comments on the walls of the Masjid and further damaged the CCTV footage and have written on the walls that the matter is pending before the Court with regard to the land of the Masjid and that they have been propagating against the Masjid in the newspapers and that the act of disconnecting the CCTV footage is

captured in the CCTV cameras. Therefore, the acts of the petitioners do attract the alleged offences. Hence, prayed to dismiss the petition.

5. Perused the record. The contents of the complaint and the statement of LW4, who is an eye witness, point out specific allegation against the petitioners herein that they resorted to breaking open the lock and further putting up another lock to the store room inside the Masjid. They have further written objectionable messages on the walls of the Masjid and have resorted to publishing news against the interest of the Masjid. Thus, the petitioners herein are facing *prima facie* allegations for the alleged offences. The veracity of the witnesses and the truth in the allegations can be culled out only after a full-fledged trial. Considering the submissions made by both parties and in view of the facts and circumstances of the case, it is deemed appropriate to dispose of the Criminal Petition by dispensing with the appearance of the petitioners before the Trial Court.

6. Hence, the Criminal Petition is disposed of dispensing with the presence of the petitioners/accused Nos.1 & 2 before the Trial Court provided that the petitioners are represented through an Advocate on every date of hearing and that they shall be present before the

Trial Court whenever their presence is specifically required during the course of trial.

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

Sd/- P.C. SULEKHA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Miryalguda.
2. The Station House Officer, Miryalaguda II Town Police Station, Nalgonda.
3. Two CCs to the Public Prosecutor, State of Telangana, High Court Buildings, at Hyderabad (OUT)
4. One CC to Sri B. Suman Kumar, Advocate [OPUC]
5. Two CD Copies

DL/PSL

Jks

HIGH COURT

DATED:19/01/2026

ORDER

CRLP.No.410 of 2026



DISPOSING OF THE CRIMINAL PETITION

⑧ JKS
29/1/26 .