

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

WEDNESDAY, THE TWENTY FIRST DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 566 OF 2026

BETWEEN:

Banka Mallesh @ Mallesh, S/o Vasaiah, Age: 45 years, Occ: Agriculture, R/o
H.No.5-47, Medigari, Nawabpet village and Mandal, Mahabubnagar District.

...Petitioner/Accused

AND

1. The State of Telangana, Rep.. its Public Prosecutor, High Court of Telangana at Hyderabad.
2. Sunnala Venkatesh, S/o Sunnala Anjaneyulu, Age: 45 years, Occ: Agriculture, R/o Lingampally village, Nawabpet Mandal, Mahabubnagar District.

...Respondents

Petition under Section 528 of the BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash the proceedings against the Petitioners/Accused in F.I.R.No.15 of 2026, on the file of P.S. NAWABPET, MAHABUBNAGAR DISTRICT.

I.A. NO: 2 OF 2026

Petition under Section 528 of the BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to grant stay of all further proceedings in F.I.R.No.15 of 2026, on the file of P.S. NAWABPET, MAHABUBNAGAR DISTRICT.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri G Rajeshwar Rao, Advocate for the Petitioner and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor on behalf of the Respondent No.1-State and None appeared for 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.566 OF 2026

DATE: 21-01-2026

Between:

Banka Mallesh @ Mallesh

... Petitioner

And

The State of Telangana,
Rep. by its Public Prosecutor,
High Court of Telangana,
At Hyderabad and another

... Respondents

ORDER:

This Criminal Petition is filed by the petitioner-accused seeking to quash the proceedings against him in Crime No.15 of 2026 of Nawabpet Police Station, Mahabubnagar, registered for the offence under Section 420 I.P.C.

2. Heard Sri G. Rajeshwar Rao, learned counsel for the petitioner and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1-State.

3. Though this Criminal Petition is filed for quashing the proceedings in the said crime, during the course of arguments, learned counsel for the petitioner has sought for directions to the Police to proceed with investigation by issuing notice under Section 35(3) of Bharatiya Nagarik Suraksha Sanhita (BNSS).

4. Learned Additional Public Prosecutor submitted to pass appropriate orders in the Criminal Petition.

5. Perused the record.

6. The offence alleged against the petitioner is under Section 420 I.P.C. Considering the submissions of the learned counsel for the petitioner, without going into the merits of the case, this Court deems it appropriate to direct the petitioner to appear before the Investigating Officer concerned on or before 11.02.2026 between 11:00 AM and 5:00 PM, and in turn, the Investigating Officer is directed to follow the procedure laid down under Section 35(3) of BNSS and the guidelines formulated by the Hon'ble Apex Court in **Arnesh Kumar v. State of Bihar**¹ scrupulously and the petitioner is also directed to co-operate with the Investigating Officer and to furnish the requisite information and documents as and when required by him.

¹ (2014) 8 SCC 273

7. Accordingly, the Criminal Petition is disposed of with the above directions.

Miscellaneous Petitions pending, if any, shall stand closed.

SD/- M. NAGAMANI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Special Judicial Magistrate of First Class Mobile Court at Mahabubnagar.
2. The Station House Officer, Nawabpet Police Station, Mahabubnagar District.
3. Two CCs to the Public Prosecutor, High Court of Telangana at Hyderabad [OUT]
4. One CC to Sri. G Rajeshwar Rao, Advocate [OPUC]
5. Two CD Copies

GNK/PSL

PMG.

HIGH COURT

DATED:21/01/2026

ORDER

CRLP.No.566 of 2026



DISPOSING THE CRIMINAL PETITION

(8) PMK
5/2/26