

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

**FRIDAY, THE TWENTY THIRD DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 672 OF 2026

Between:

Puranam Ravindar alias Kuruna Devaiah, S/o. Bhavani, Aged 32 years, Occ. Business, R/o. H.No.2-57/1, Gunjapadugu Village, Gollapalli Mandal, Jagtial District. Pincode 505532.

...Petitioner/Accused No.3

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court of Telangana, at Hyderabad.
2. Sri. E. Kiran Kumar, Sub-Inspector, Dharmapuri P.S, Jagtial District. Pincode 505425

...Respondent/Complainant

Petition under Section 528 of B.N.S.S. 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. 1584 of 2022, on the file of the Court of the Judicial Magistrate of First Class at Dharmapuri.

I.A. NO: 2 OF 2026

Petition under Section 528 of B.N.S.S. 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.1584 of 2022, on the file of the Court of the Judicial Magistrate of First Class at Dharmapuri, including appearance and attendance of the Petitioner/Accused No. 3, 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 argument of Sri Gaje Raghu, Advocate for the Petitioner and Sri V.Jithender Rao, Additional Public Prosecutor on behalf of the 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.672 of 2026

Date: 23.01.2026

Between:

Puranam Ravindar @ Karuna Devaiah

...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 No.3 under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS, 2023') seeking quashment of proceedings in C.C.No.1584 of 2022 on the file of Judicial Magistrate of First Class at Dharmapuri, registered for the offences punishable under Section 420 of Indian Penal Code, 1860 (for short 'IPC') and Section 7 of the Essential Commodities Act, 1955 (for short 'EC Act').

2. Heard Sri G.Raghu, learned counsel for the petitioner as well as Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for the respondents.
3. Learned counsel for the petitioner submits that the specific allegation against the petitioner is that he has procured PDS rice from the beneficiaries at cheaper rate to sell the same for profit and on 21.12.2021, the petitioner was found in possession of 5 quintals of PDS rice.
4. Learned counsel for the petitioner would further submit that without there being any complaint from any beneficiary, alleging that the rice was procured deceptively or with a criminal intent and charging the petitioner for prosecution is untenable and improper. The allegations on his face value cannot be sustained against the petitioner. Further, this Court in CrI.P.Nos.5709 of 2019 and 33493 of 2015 while considering the same situation, categorically observed that the offences alleged against the petitioners therein cannot be continued and quashed the proceedings. The petitioner is also entitled to the same relief and hence prayed to quash the proceedings against the petitioner.
5. The learned Additional Public Prosecutor submits that as per prosecution, the offence said to have been committed by the petitioners is cheating, violation of Section 7 of the Essential

Commodities Act, 1955. Hence, requested to pass appropriate orders.

6. Perused the material available on record.

7. Section 7 of the Essential Commodities Act contemplate that any person contravenes with the production, supply, distribution and trade of essential commodities in this regard, is punishable. As per the prosecution, the petitioner has procured PDS rice from the beneficiaries after supply from the dealer.

8. A Coordinate Bench of this Court in Crl.P.No.7227 of 2025 has considered the identical facts and observed that:

"There is no averment indicating that the petitioners in any way deceptively induced the beneficiaries to part with the supplied PDS rice or the beneficiary entrusted the PDS rice purchased by them with the petitioners and they dishonestly misappropriated or converted to their own use or used it in violation of a lawful direction or contract. In the absence of essential factors, on the face of prosecution, this Court finds it to be a fit case to exercise the jurisdiction under Section 528 of BNSS, 2023. Thus, continuance of proceedings against the petitioners is abuse of process of law."

9. The facts and circumstances of the present case also similar to those in the above case and hence, this Court finds it to be a fit case to exercise jurisdiction under Section 528 of BNSS by applying

the same analogy and to quash the proceedings against the petitioner herein.

10. Accordingly, the Criminal Petition is allowed and the proceedings in C.C.No.1584 of 2022 on the file of Judicial Magistrate of First Class at Dharmapuri, against the petitioner accused No.3, are hereby quashed.

Miscellaneous petitions, pending if any, shall stand closed.

SD/- A.F.S.GOWRI SHANKAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

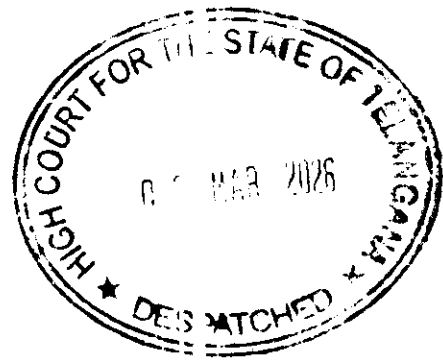
To,

1. The Judicial Magistrate of First Class, at Dharmapuri.
2. The Station House Officer, Dharmapuri Police Station Judicial District.
3. One CC to Sri. Gaje Raghu, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana. [OUT]
5. Two CD Copies

YJR /PSL

HIGH COURT

DATED:23/01/2026



ORDER

CRLP.No.672 of 2026

ALLOWING OF THE CRIMINAL PETITION.

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