IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

FRIDAY, THE SEVENTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 5429 OF 2026

Between:

Sappidi Venkat Reddy, S/o S.Yadi Reddy, Aged about 48 years, Occ. Business R/o 1-9-324/112, V N Reddy Colony, Kushaiguda ECIL Post, Kapra, RR District - 500062

...Petitioner/Accused-2

AND

1. State of Telangana,, Rep.by the Public Prosecutor, High Court of Telangana, At Hyderabad
2. M.Devender Reddy, S/o Narsimha Reddy Aged about 74 years, Occ. Retired Employee, R/o H.No.4-1-39, Govt School Back Side, Kowkoor, Alwal Mandal, Medchal-Malkajgiri - 500010

...Respondent/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 quash the FIR No.192/2025 registered before PS Jawaharnagar against petitioner/ Accused No.2.

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 stay all further proceedings in FIR No.192/2025 registered before PS Jawaharnagar as against Petitioner/ Accused No.2

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Mr J. PRABHAKAR, Senior Advocate, representing Smt. KANUMURI KALYANI, Advocate for the Petitioner 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 HONOURABLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.5429 of 2026

Date 17.04.2026

Between:
Sappidi Venkat Reddy

...Petitioner

AND

State of Telangana and another

...Respondents

ORDER

This Criminal Petition has been filed seeking to quash the proceedings in F.I.R.No.192 of 2025 of Jawaharnagar Police Station, Rachakonda Commissionerate, wherein the petitioner was arrayed as accused No.2 for the offences punishable under Sections 329(3), 324(3) and 352 r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. Heard Mr.J.Prabhakar, learned Senior Counsel representing Smt.Kanumuri Kalyani, learned counsel for the petitioner and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1.

3. With the consent of both the parties, the criminal petition is disposed of at the stage of admission.

4. Learned Senior Counsel for the petitioner submitted that the petitioner has not committed the alleged offence and has been falsely implicated in the present case. The allegations levelled against the petitioner are purely civil in nature pertaining to monetary transaction. He further submitted that respondent No.2 ought to have approached the competent Civil Court to establish his rights over the property, on the other hand, filed the present complaint by giving criminal colour. Even according to the allegations made in the complaint, the ingredients for the offence under Sections 329(3), 324(3) and 352 r/w 3(5) of the BNS are not attracted against the petitioner. He further submitted that the offences alleged against the petitioner are punishable with imprisonment of less than seven years. The Investigating Officer, without following the mandatory procedure prescribed under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') and without following the guidelines formulated by the Hon'ble Supreme Court in ***Arnesh Kumar Vs. State of Bihar***[1], is proceeding further in the matter and the same is contrary to law. He further submitted that the Investigating Officer filed final report against accused No.1. In the said final report, the Investigating

[1](2014) 8 SCC 273

Officer mentioned that petitioner is absconding though the petitioner is very much available. The allegations levelled in the final report by the Investigating Officer are not true and correct and the petitioner is a law binding citizen. The petitioner has filed sworn affidavit denying the allegations made by the Investigating Officer in the final report filed against accused No.

5. *Per contra*, learned Additional Public Prosecutor submits that the offences levelled against the petitioner is punishable with imprisonment of less than seven years. The Investigating Officer had already filed final report against accused No.1. He further submitted that the Investigating Officer will follow the procedure contemplated under Section 35(3) of the BNSS and the guidelines issued by the Apex Court in ***Arnesh Kumar*** (supra) in respect of the petitioner and requested this Court to direct the petitioner to cooperate with the Investigating Officer.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the offences levelled against the petitioner are punishable with imprisonment of less than seven years. Even according to the learned Additional Public Prosecutor, the

Investigating Officer will follow the procedure contemplated under Section 35(3) of the BNSS and also the guidelines formulated by the Apex Court in ***Arnesh Kumar*** (supra).

7. In view of the same, the Investigating Officer is directed to follow the procedure contemplated under the provisions of the BNSS and the guidelines issued by the Hon'ble Apex Court in ***Arnesh Kumar*** (supra) against the petitioner. It is needless to mention that the petitioner is entitled to put forth his grievance, by raising all the pleas which are available to him.

8. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications, pending if any, shall stand closed.

SD/-K.BHAVANI SWAMY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The X Additional Junior Civil Judge –cum- X Additional Metropolitan Magistrate, Medchal Malkajgiri District at Medchal.
2. The Station House Officer, Jawaharnagar Police Station, Rachakonda.
3. One CC to Smt. KANUMURI KALYANI Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR High Court for the State of Telangana, at Hyderabad [OUT]
5. Two CD Copies

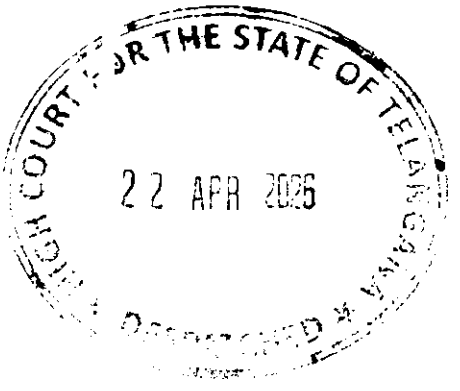
RC

HIGH COURT

DATED: 17/04/2026

ORDER

CRLP.No.5429 of 2026



The Criminal Petition is Disposed of

(8)
22/04/26