IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 6638 OF 2026

Between:

Raghutu Janakiram, S/O Malleshwer Rao Aged about 36 Years Occ. Business R/O Flat No. G4, SR Plaza, Plot No. 7,8,14 & 15, Sy. No. 86/P, Nizampet, Bachupally Mandal, Medchal-Malkajgiri District

...PETITIONER/ACCUSED No. 1

AND

1. The State of Telangana, Rep. P.P High Court at Hyderabad Through P.S KPHB Colony, Cyberabad Commissionerate, Medchal-Malkajgiri District, Telangana.

...RESPONDENT/COMPLAINANT

2. Ganta Chandra Shekar, S/o Late G.N. Surender Kumar Aged about. 36 Years, Occupation. Pvt. Employee, R/ H.No. 1-2-185, Kamsari Bazar, New Bowenpally Secunderabad, Telangana

...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 in Cri. No. 200 of 2026, against Petitioner/Accused No. 1, for the offences U/S 318(4) & 316(2) of BNS.

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 grant Interim stay on all further proceedings in Cri. No. 200 of 2026, registered by P.S KPHB Colony, for the offences U/S 318(4) and 316(2) of BNS, pending disposal of main criminal petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri L. Harish, Advocate for the Petitioner and Sri Jithendar Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondent No. 1.

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.6638 of 2026

Date: 28.04.2026

Between:

Raghutu Janakiram

...Petitioner/Accused No.1

AND

The State of Telangana and another.

...Respondents

Order:

This Criminal Petition has been filed seeking to quash the proceedings in Crime No.200 of 2026 of KPHB Colony Police Station, Cyberabad Commissionerate, registered for the offences punishable under Sections 318(4) and 316(2) of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. Heard Mr. L.Harish, learned counsel for the petitioner, and Mr.Jithendar Rao Veeramalla, learned Additional Public Prosecutor, appearing on behalf of respondent No.1-State. With their consent, the criminal petition is disposed of at the admission stage.

3. Learned counsel for the petitioner submitted that the petitioner has not committed any offence and he has been falsely implicated in the present crime. The nature of allegations levelled in the complaint are purely civil in nature, especially the petitioner provided employment

and accused No.2 had given appointment orders to the *de-facto* complainant. The petitioner was implicated as accused No.1 only on the ground that he forwarded the name of the *de-facto* complainant to accused No.2. The said allegations do not attract the ingredients of the offence under Sections 318(4) and 316(2) of the BNS against the petitioner. He further submitted that the offences levelled against the petitioner are punishable with imprisonment of less than seven years. However, the Investigating Officer, without following the mandatory procedure prescribed under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') and the guidelines issued by the Apex Court in **Arnesh Kumar Vs. State of Bihar**[1]**,** and the principles laid down by the Hon'ble Apex Court in **Satender Kumar Antil v. Central Bureau of Investigation in (M.A.No.2034 of 2022 in M.A.No.1849 of 2021 in SPL (Crl) No.5191 of 2021) dated 15.01.2026,** is proceeding with the investigation and the same is contrary to law.

4. Learned Additional Public Prosecutor submitted that there are specific allegations levelled against the petitioner and other accused that they have extorted huge amount from the *de-facto* complainant and other victims under the guise of providing employment with a dishonest intention and collected huge amount and provided false employment. The said allegations will attract the ingredients of

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[1](2014) 8 SCC 273

Sections 318(4) and 316(2) of the BNS. He further submitted that the offences levelled against the petitioner shall be punished with imprisonment below seven years and the Investigating Officer had already served notice under Section 35(3) of the BNSS to accused No.2 on 27.02.2026 and the petitioner is not cooperating with the investigation. However, the Investigating Officer will follow the very same procedure in respect of accused No.1.

5. Learned counsel for the petitioner by way of reply submitted that the petitioner will cooperate with the investigation and will appear before the Investigating Officer and cooperate with the investigation.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that even according to the allegations levelled in the complaint, 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 had already served notice to accused No.2 on 27.02.2026 under Section 35(3) of the BNSS and the Investigating Officer wants to follow the very same procedure in respect of the petitioner. In view of the same, the petitioner is directed to appear before the Investigating Officer on or before 10.05.2026 and on such appearance, the Investigating Officer is directed to follow the due procedure as prescribed under the provisions of Section 35(3) of the BNSS and the guidelines issued by the Hon'ble

Apex Court in **Arnesh Kumar** (*supra*). It is needless to mention that the petitioner is entitled to put forth his grievance before the Investigating Officer and he is also entitled to submit the documents, which are in his custody.

7. With the above directions, the Criminal Petition is disposed of.

Miscellaneous applications, pending if any, shall stand closed.

SD/- B.REKHA RANI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

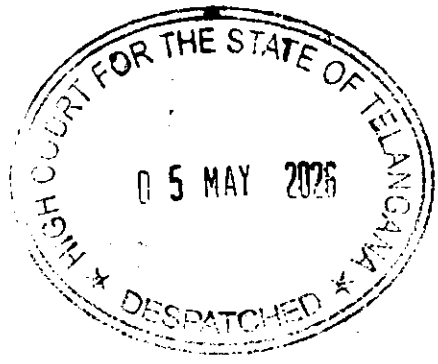
1. The Additional Junior Civil Judge-Cum-XV Additional Judicial Magistrate of First Class at Kukatpally, Medchal-Malkajgiri District
2. The Station House Officer, KPHB Colony Police Station, Cyberabad
3. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri L. Harish Advocate [OPUC]
5. Two CD Copies

VH/KA

CC-TODAY

HIGH COURT

PDATED: 28/04/2026



ORDER

CRLP.No.6638 of 2026

DISPOSING OF THE

CRIMINAL PETITION

(2) copies
PVL
04/05/2026