

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

**WEDNESDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 7507 OF 2026

Between:

1. Nellotla Ramchander, S/o Rajayya, Aged about 47 years, Occ: Journalist, R/o Narsampet Village and Mandal, Warangal District, Telangana.
2. Srikanth Nellotla,, S/o Kesshavulu, Aged 30 Years, Occ: Agriculture R/o . Peddaellapur (V), Ganagaram (M), Mahabubabad District, Telangana.

...Petitioner/Accused no. 1 & 2

AND

1. The State of Telangana, Through P.S. Kothaguda Rep. by Public Prosecutor High Court for the State of Telangana, Hyderabad.
2. P. Ganapathi Rao, S/o not known to the Petitioners, Aged about Major, Occ: Head Constable No.1462, Ganganaram Police Station, Telangana

...Respondents

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 call for the records pertain to the FIR No.33 of 2026 dated 14.04.2026 on the file of Kothaguda Police Station Quash against the petitioners Hold that the impugned FIR No.33 of 2026 is false, malicious, abuse of process of law.

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 stay all further investigation in FIR No.33 of 2026 dated. 14-04-2026 including arret of the petitioners.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri A Rajashekar Reddy, Counsel representing Sri Gundlapalli V S S S Sruthi, Advocate for the Petitioners and Sri Jithender Rao Veeramalla, the Additional Public Prosecutor on behalf of the Respondent No. 1 and none appeared for the Respondent No.2.

The Court made the following: ORDER

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.7507 of 2026

DATE: 17.06.2026

Between :

Nellotla Ramchander and another

....Petitioners

AND

The State of Telangana and another

....Respondents

: O R D E R :

This Criminal Petition has been filed by the petitioners/accused Nos.1 and 2 under Section 528 of the BNSS, seeking to quash the proceedings in F.I.R.No.33 of 2026 of Kothaguda Police Station, Mahabubabad District, registered for the offence punishable under Section 221 read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'the BNS').

2. Heard Mr. A. Rajashekar Reddy, learned counsel representing Ms.G.V.S.S. Sruthi, learned counsel for the petitioners, and Mr. Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1-State.

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

4. Learned counsel for the petitioners submitted that the petitioners have not committed any offence and have been falsely implicated in the present crime. Even according to the allegations made in the complaint, the ingredients of the offence under Section 221 of the BNS are not attracted. Hence, the continuation of the proceedings against the petitioners is a clear abuse of the process of law. He further submitted that the offence alleged against the petitioners is 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'), the guidelines issued by the Apex Court in **Arnesh Kumar Vs. State of Bihar**¹, is proceeding with the investigation and the same is contrary to law.

5. *Per contra*, learned Public Prosecutor submitted that there are specific allegations levelled against the petitioners in the complaint. The Investigating Officer has already issued notice under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'the BNSS') on 20.05.2026, as the imprisonment prescribed for the offence levelled against the petitioners is less than seven years. The petitioners are entitled to put forth their grievance before the Investigating Officer, on the other hand filed the present criminal petition. He further submitted that the Investigating Officer has

¹(2014) 8 SCC 273

recorded the statements of LWs.1 to 5 and the investigation is under progress.

6. Having considered the rival submissions made by the respective parties and upon perusal of the material available on record, it reveals that the offence levelled against the petitioners is punishable with imprisonment up to seven years. Even according to the learned Additional Public Prosecutor, the Investigating Officer has already issued notice under Section 35(3) of the BNSS to the petitioners on 20.05.2026.

7. In view of the same, the petitioners are entitled to put forth their grievance and also submit the documents, if any, which are in their possession.

8. Subject to the above directions, the Criminal Petition is disposed of.

Miscellaneous applications, pending if any, shall stand closed.

SD/- T.SRINIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

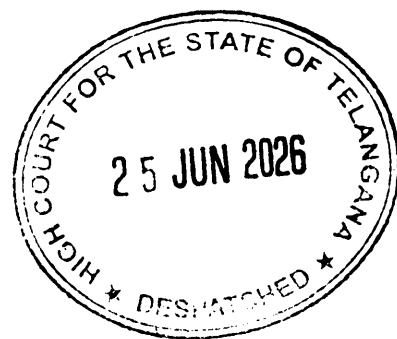
To,

1. The Station House Officer, Kothaga Police station, Mahabubabad District.
2. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
3. One CC to Sri Gundlapalli V S S S Sruthi, Advocate [OPUC]
4. Two CD Copies



HIGH COURT

DATED: 17/06/2026



ORDER

CRLP.No.7507 of 2026

DISPOSING OF THE CRIMINAL PETITION

(A) 1pr
24/6/26.