

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

**TUESDAY, THE SIXTEENTH DAY OF JUNE  
TWO THOUSAND AND TWENTY SIX**

**PRESENT**

**THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

**CRIMINAL PETITION NO: 8882 OF 2026**

**Between:**

1. Nishanth Joginapalli, S/o Harender Rao, Aged 49 years Occu. Director of M/s. Cephachem Laboratories, Pashamylaram, R/o Flat No.323, Maha Laxmi Sai Srinivasam, Retreat Colony, Old Alwal, Hyderabad.
2. Manoj Kumar Jalagam, S/o Kishan Rao, Aged 42 years Occu. Director of M/s. Cephachem Laboratories, Pashamylaram R/o Flat No.103, Pleasant Valley Apartments, NCL Colony, Kompally, Hyderabad.

**...Petitioners/Accused**

**AND**

1. The State of Telangana, rep. by its Public Prosecutor, High Court at Hyderabad.
2. Sri. M. Varaprasad, S/o Not known to the petitioner Aged not known Occu. Drugs Inspector, Pashamylaram O/o The Director General, Drugs Control Administration, Hyderabad.

**...Respondent/Defacto-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 call for the records in relating to FIR No.166 of 2026 dated. 13-06-2026 on the file of P.S. Bhanoor and quash the same as against the Petitioners in the interest of justice

**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 proceedings including the arrest of the Petitioners in FIR No.166 of 2026 dated. 13-06-2026 on the file of P.S. Bhanoor pending disposal of the Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri T V Ramana Rao, Advocate for the Petitioners and the Mr. Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondent No. 1 and of 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.8882 of 2026**

**Date: 16.06.2026**

**Between:**

Nishanth Joginapalli and another

...Petitioners

AND

The State of Telangana and another.

...Respondents

**ORDER**

This Criminal Petition has been filed seeking to quash the proceedings in Crime No.166 of 2026 of Bhanoor Police Station, Sangareddy District, wherein the petitioners were arrayed as accused Nos.1 and 2 for the offences punishable under Sections 318(4), 336(2) and 340(2) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS').

2. Heard Sri T.V.Ramana Rao, learned counsel for the petitioners and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1.

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

4. Learned counsel for the petitioners submits that the petitioners have not committed the alleged offences and have been falsely implicated in the present case. Even according to the allegations made in the complaint, the ingredients of the offences under Sections 318(4), 336(2) and 340(2) of the BNS, are not attracted against the petitioners. The petitioners are holding valid licences issued by the competent authority under the Drugs and Cosmetics Act, 1940, and the permissions granted by the concerned authorities are subsisting. Respondent No.2 filed the present complaint by making omnibus allegations only with an intention to harass the petitioners. He further submitted that the offences levelled against the petitioners 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*<sup>1</sup>, is proceeding further in the matter and the same is contrary to law.

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<sup>1</sup>(2014) 8 SCC 273

5. *Per contra*, learned Additional Public Prosecutor submitted that there are specific allegations levelled against the petitioners to attract the ingredients for the offence under Sections 318(4), 336(2) and 340(2) of the BNS. Whether the petitioners have committed the offence or not have to be revealed during the course of investigation and the petitioners are not entitled to seek quashing of the proceedings at this stage. He further submitted that 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) on the ground that the offences levelled against the petitioners are punishable with imprisonment less than years. However, the petitioners shall be directed 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 petitioners 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 above, the petitioners are directed to appear before the Investigating Officer on or before 25.06.2026 and submit reply/explanation along with the documents, which are available with them, to the Investigating Officer. The Investigating Officer is entitled to follow the procedure contemplated under Section 35(3) of the BNSS and follow the guidelines issued by the Apex Court in *Arnesh Kumar* (supra).

8. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications, pending if any, shall stand closed.

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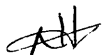
Sd/- U.SUDHA  
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Additional Judicial First Class Magistrate at Sangareddy.
2. The Station House Officer, Bhanoor Police Station, Sangareddy District.
3. Two CCs to Public Prosecutor High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri T V Ramana Rao, Advocate [OPUC]
5. Two CD Copies

DL/BA

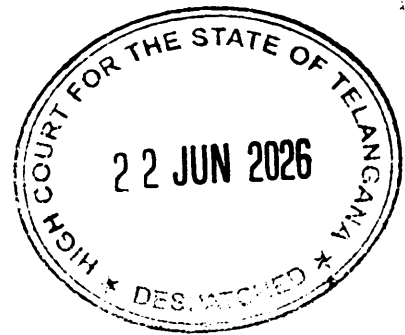


**HIGH COURT**

**DATED: 16/06/2026**

**ORDER**

**CRLP.No.8882 of 2026**



**DISPOSING OF THE CRIMINAL PETITION**

(8) NT  
20/6/26