IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

WEDNESDAY, THE TWENTY EIGHTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION NO: 12921 OF 2025

Between:

1. Kethavath Jormal, S/o. Mojya, aged about 55 years, Occupation. Senior Auditor, District Audit Office, Nizamabad, R/o. H.No.1-4-74, Mahalaxminagar, Nizamabad, Nio. H.No.2-94, Venkatapoor Thanda of Gandhari (M).
2. Dandu Srinivas,, S/o. Vidyasagar, aged about 53 years, Superintendent, B.C. Welfare Department at Sanga Reddy District, presently District B.C. Development Officer, Nirmal District at Nirmal, R/o. H.No.5-5-122, Pochammagally, Nizamabad.

...Petitioner/Accuseds

AND

1. The State of Telangana,, rep.by Sub Inspector of Police, Yellareddy Police Station, Yellareddy, Kamareddy District (through Public Prosecutor, High Court for the State of Telangana at Hyderabad).
2. Adugani Venkatesham, S/o. Rajaiah, aged about 53 years, Occupation. Gazetted Head Master, ZPHS, Vellutla, In-Charge MEO, Yellareddy, R/o. H.No.1-5-60, Kalalgally, Yellareddy village and Mandal, Kamareddy District

...Respondent/Complainants

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 charge sheet in C.C.No.147 of 2020 on the file of the Judicial Magistrate of First Class at Yellareddy in so far as the prosecution against the petitioners (A7 and A9) is concerned and grant such other relief as it deems fit in the circumstances of the case

I.A. NO: 1 OF 2025

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to grant stay of all further proceedings including appearance of the petitioners in

C.C.No.147 of 2020. on the file of the Judicial Magistrate of First Class at Yellareddy (FIR No.54 of 2016 of the 1st respondent police) in so far as the petitioners (A7 and A9) are concerned, pending disposal of the quash petition

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri M/S Bharadwaj Associates, Advocate for the Petitioner and Sri E.Ganesh, Learned Asst. Public Prosecutor (TG/AP) on behalf respondent

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No.12921 OF 2025

(C.N.R No.HBHC010600352025)

DATED: 28.10.2026

Reserved on: 06.10.2026 **Pronounced on: 28.10.2026**

Uploaded on: 29.10.2026

Between:

1. Kethavath Jormal. ... Petitioner No.1 – A7
2. Dandu Srinivas. ... Petitioner No.1 – A9

And

1. The State of Telangana, Rep. by Sub Inspector of Police, Yellareddy Police Station, Yellareddy, Kamareddy District. Through Public Prosecutor, High Court for the State of Telangana, Hyderabad. ...Respondent No.1-State

2. Adugani Venkatesham. ...Respondent No.2-Complainant

O R D E R

1. This Criminal Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) praying this Court to quash the charge sheet in C.C.No.147 of 2020 on the file of Judicial Magistrate of First Class at Yellareddy. The offences alleged against the petitioners-A7 and A9 are punishable under Sections 420, 468, 471, 170, 409, 473, 474, 109 and 120-B read with 34 of I.P.C.

2. Heard Sri Vedula Venkata Ramana, learned Senior Counsel for petitioners-A7 and A9 and Sri E.Ganesh, learned Assistant Public Prosecutor for respondent - State.

3. Learned Senior Counsel for the petitioners submits that petitioners – A7 and A9 are included as accused on the statement of prime accused i.e., A1, who has fabricated Service Register without being a government employee and submitted pension proposals which stood approved by the District Audit Office, and drawn pension from 2010 to 2016. No action has been taken against A1 to recover the pension drawn by him. In the absence of initiation of any proceedings for recovery of illegally drawn pension amount, the prosecution itself is baseless and unsustainable in law. There are no incriminating circumstances or role played by the petitioners – A7 and A9 for assisting or helping A1. Except adding the offence under Section 120B of I.P.C., there is no basis to prosecute the petitioners – A7 and A9. Thus the prosecution of the petitioners – A7 and A9 is clear abuse of process of law and the same is resulting in deprivation of the petitioners – A7 and A9 from getting the legitimate service benefits and promotions. A1 is prime accused and there is no connecting link to prosecute A1 along with petitioners – A7 and A9 and prayed to quash the charge sheet in C.C.No.147 of 2020 on the file of Judicial Magistrate of First Class, Yellareddy.

4. Learned Assistant Public Prosecutor for respondent Nos.1 and 2 submits that the role played by the petitioners – A7 and A9 is separately shown in the charge sheet and they have not made out any case to quash the charge sheet and prayed to dismiss the petition.

5. Now the point for consideration is: whether the petitioners – A7 and A9 have made out any case to quash the charge sheet in C.C.No.147 of 2020 pending on the file of Judicial Magistrate of First Class, Yellareddy.

POINT:

6. A.Venkatesham has lodged a report before P.S. Yellareddy on 10.06.2016. It is stated in the complaint that on 09.06.2016 he received a registered post vide R.L.No.CA008576522, on opening the same he found one service register and pension payment orders sent by the District Audit Office, on thorough verification, he found that it is a fake service register in the name of MD.Yahiya. Basing on the said complaint, F.I.R.No.54 of 2016 came to be registered under Sections 420, 468 and 471 of I.P.C. against MD.Yahiya.

7. Police after investigating the case, has filed charge sheet before the concerned Court against A1 to A11 for the offences under Sections 420, 468, 471, 170, 409, 473, 474, 109 and 120 (B) read with 34 of I.P.C.

8. The learned trial Court has taken the charge sheet on file against all the accused.

9. A1, A2, A4 to A7, A10 and A11 were arrested on 27.06.2016 and were sent to judicial custody for remand. Accused No.8 is arrested and sent to judicial custody on 12.07.2016 for remand; accused No.9 is arrested and sent to judicial custody on 25.07.2016 for remand. Notice under Section 41 (A) of Cr.P.C. dated 26.12.2016 is served on accused No.3.

10. On perusal of the charge sheet which goes to show that confessional statement of accused No.1 is recorded by police and they have seized (1) One Bogus service book BC (Boys) Hostel, Kamareddy, Yahiya (2) One service book under preparation in the name of Rajiya, ZPHS (Boys) Domakonda (3) One incomplete service book in the name of G.Pochaiah, Hostel Welfare Office, Pedda Kodapgal (4) One incomplete fake service book in the name of Md.Yahiya, Boys hostel, Kamareddy (5) One pension payment service book in the name of Md.Yahiya which was sanctioned in the year 2010 (6) One duplicate pension ID card in the name of Md.Yahiya and also seized 16 various rubber stamps and seals.

11. Petitioner No.1- A7 was working as Senior Auditor, District Audit Office, Nizamabad District. His duties and responsibilities are to verify the service book of every proposal to ensure date of birth, date of entry into service, punishments and rewards, date of

retirement etc. Charge Sheet reveals that the petitioner No.1– A7 has to forward the proposal of A1 for getting service pension from 2010.

12. Petitioner No.2 – A9 was working as Office Superintendent in District B.C. Welfare Department at Sangareddy and at the time of sanctioning of bogus pension to A1, he worked as Junior Assistant in District B.C. Welfare Department, Nizamabad. In the year 2010 accused No.1 has sent the proposals for pension as watchman of B.C Welfare hostel, Kamareddy. After passing the orders of the pension, the concerned service book has to remain in the District unit office of the concerned department, but petitioner No.2 – accused No.9 has taken back the service book from DTO and handed over the same to accused No.1 by accepting bribe.

13. There is no material on record to show that petitioner No.2 – accused No.9 has accepted the bribe offered by accused No.1. The Charge Sheet goes to show that the allegations made against accused No.1 are preparing bogus service books of different persons. Furthermore, police has seized 16 various rubber stamps and seals from accused No.1.

14. Petitioners – A7 and A9 are public servants, who discharged their duties while forwarding the service books.

15. The offences alleged in the charge sheet against the petitioners – A7 and A9 do not attract. LWs.1 to 5 are the officers of various departments. Confessional statements of A1 to A5 are recorded by police which are depicted in the charge sheet.

16. On perusal of the statements of LWs.1 to 11 they do not make out any case against the petitioners – A7 and A9. Therefore, continuation of proceedings against petitioners – A7 and A9 is abuse of process of law.

17. In view of the above reasons, the petitioners – A7 and A9 have made out a case for quashing the proceeding in C.C.No.147 of 2020 on the file of Judicial Magistrate of First Class, Yellareddy.

18. Accordingly, Criminal Petition is allowed, proceedings against the petitioners – A7 and A9 in C.C.No.147 of 2020 on the file of Judicial Magistrate of First Class at Yellareddy are quashed.

Interim orders, if any, shall stand vacated. Miscellaneous petitions, if any, shall stand closed.

Sd/- C. DEEPIKA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial Magistrate of First Class at Yellareddy, Kamareddy District.
2. The Station House Officer, Circle Inspector of Police, Yellareddy, Kamareddy District.
3. One CC to SRI. M/S Bharadwaj Associates Advocate [OPUC]
4. Two CCs to Sri E.Ganesh, Asst. Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
5. Two CD Copies

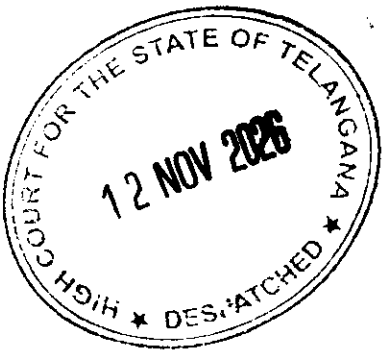
PSN/PR

HIGH COURT

DATED: 28/10/2026

ORDER

CRLP.No.12921 of 2025



ALLOWING THE CRIMINAL PETITION.

12/11/26