IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE SIXTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 16407 OF 2026

Between:

Petlu Srinivasan, S/o Petla Kondaiah, aged about 40 years, Occ. Ex Hotel Employee R/o J1-207, Provident welworth City, Dodda Balpur main Road, Marasandra, Banglore rural, Karnataka State. Also resident of Burlington, Canada.

...Petitioner/Respondent

AND

1. The State of Telangana, Rep by its Public Prosecutor High Court for the State of Telangana
2. Pasula Priyanka, W/o Petlu Srinivasan, Age: 30 years, Occ. Home Maker
3. Petlu Kaira, D/o Petlu Srinivasan, Age: 6 years, Occ: Student
4. Petlu Advik, S/o Petlu Srinivasan, Age: 6 years, Occ: Student

   All are R/o H.No.6-551, 19-77, Prashanthnagar, Kapra, Medchal Malkajgiri District.

   Respondent Nos.3 and 4 are represented by their guardian and natural mother i.e., Respondent No.2

...Respondent/Petitioners

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 direct the Hon'ble Principal Family Court Medchal Malkajgiri District at Kushiaguda to decide upon the applications U/s 125(4) of Crpc dated 24-07-2026 and U/s 91 of Crpc dated 03-09-2026 seeking for reconciliation of the maintenance and calling for maintenance records in custody of the Respondent wife in MC. 52 of 2023 before insisting on the payment of maintenance arrears.

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 recall the NBW dated 23-06-2026 in Crl.MP.No.190 of 2024 in MC No.52 of 2023, on the file of the Hon'ble Principal Family Court, Medchal Malkajgiri District at Kushiaguda pending disposal of this petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Mr. Y.V. Pavan Kumar, Advocate for the Petitioner and Mr. Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondent No.1 and None Appeared for the Respondents No.2 to 4.

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.16407 of 2026

CNR No. : HBHC010657762026

Date: 06.10.2026

Between:
Petlu Srinivasan

...Petitioner

AND

The State of Telangana and three others

...Respondents

ORDER

This Criminal Petition has been filed by the petitioner seeking a direction to the learned Principal Family Court, Medchal-Malkajgiri District at Kushaiguda, to decide the applications dated 24.07.2026 and 03.09.2026, seeking reconciliation of the maintenance amount and calling for the maintenance records in the custody of respondent No.2 in M.C.No.52 of 2023, before insisting upon payment of the maintenance arrears.

2. Heard Mr.Y.V.Pavan Kumar, learned counsel for the petitioner and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1.

3. Though this Criminal Petition is filed seeking various reliefs, during the course of hearing, learned counsel for the petitioner restricted his relief to recalling the NBW issued by the learned Principal Family Court, Medchal-Malkajgiri District at Kushaiguda, in Crl.M.P.No.190 of 2024 in M.C.No.52 of 2023, against the petitioner on 23.06.2026. Hence, notice in respect of respondent No.2 is dispensed with.

4. Learned counsel for the petitioner submits that respondent No.2 filed M.C.No.52 of 2023 on her behalf and on behalf of respondent Nos.3 and 4 before the Principal District and Sessions Judge-cum-Family Court, Medchal-Malkajgiri District, claiming maintenance. Basing on the memorandum of agreement entered into by the parties, the said M.C. was disposed of on 23.06.2023. Thereafter, respondent No.2 filed Crl.M.P.No.190 of 2024 on her behalf and on behalf of respondent Nos.3 and 4 invoking Section 125(3) of Cr.P.C., seeking enforcement of the order passed in M.C.No.52 of 2023. In the said petition, the learned trial Court issued an NBW against the petitioner on 23.06.2026. Immediately thereafter, the petitioner approached the learned trial Court and

filed a petition on 24.07.2026 invoking the provisions of Section 70(2) of BNSS to recall the NBW issued against him. The learned trial Court, on 24.07.2026, while recording the presence of the petitioner as well as his counsel, without passing any order on the petition filed by the petitioner, directed the office to check and put up and posted the matter to 31.07.2026. The NBW issued against the petitioner is still continuing and the police are trying to execute the said NBW. Unless the NBW issued against the petitioner on 23.06.2026 is recalled, the petitioner will be put to great hardship.

5. *Per contra*, learned Additional Public Prosecutor submits that the petition filed by the petitioner does not contain the number of the petition. Once the petitioner had already approached the learned trial Court, without seeking any order on the said petition, he straightaway approached this Court and filed the present Criminal Petition, and the same is not maintainable under law.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the learned trial Court issued an NBW against the petitioner on 23.06.2026 and the petitioner filed a

petition on 24.07.2026 for recalling of the NBW issued against him, invoking the provisions of Section 70(2) of BNSS. Even according to the learned counsel for the petitioner, the said petition is still pending.

7. Taking into consideration the peculiar facts and circumstances of the case, without expressing any view in the petition filed by the petitioner under Section 70(2) of BNSS on 24.07.2026, the learned trial Court is directed to pass appropriate orders in accordance with law within a period of one week from the date of receipt of a copy of this order.

8. Accordingly, the Criminal Petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

Sd/- M. OSMAN ALI BAIG
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Family Court Medchal Malkajgiri District at Kushiaguda
2. One CC to Mr. Y.V. Pavan Kumar, Advocate [OPUC]
3. Two CCs to Public Prosecutor High Court for the State of Telangana, at Hyderabad [OUT]
4. Two CD Copies

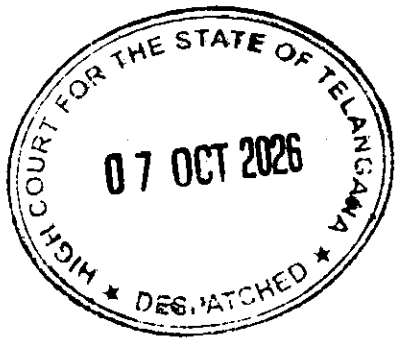
KAM

HIGH COURT

DATED: 06/10/2026

ORDER

CRLP.No.16407 of 2026



DISPOSING OF THE CRIMINAL PETITION

7 copies
Kg
7/10/26