**IN THE HIGH COURT FOR THE STATE OF TELANGANA**
**AT HYDERABAD**
**(Special Original Jurisdiction)**

THURSDAY, THE FIRST DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE SMT JUSTICE TANGIRALA MADHAVI DEVI**

**WRIT PETITION NO: 33230 OF 2026**

**Between:**

Vadthya Ravinder, S/o. Janaiah, Aged about 35 years, Occ. Govt. Employee, R/o. H.No.20-18/52/A/A/1/R2, Shivasainagar, Achampeta, Nagarkurnool District. N/o.H.No.10-99, Devadarikunta Thanda, Uppunuthala Mandal, Nagarkurnool District.

**...PETITIONER**

**AND**

1. The State of Telangana, Rep. by its Principal Secretary, Home Department, Secretariat Building, Secretariat, Hyderabad.
2. The Director General of Police, Hyderabad, Telangana.
3. The Superintendent of Police, Nagarkurnool, Nagarkurnool District.
4. The Deputy Superintendent of Police, Nagarkurnool Division, Nagarkurnool District.
5. The Station House Officer, Lingal Police Station, Nagarkurnool District.
6. Male Nagarathnamma, W/o. M.P.Ranganna, Aged about 56 years, Occ. Govt. Employee, R/o. Lingal Village and Mandal, Nagarkurnool District.

**...RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent No.5 in non-initiating to implement the directions of the Hon'ble Apex Court in Arnesh Kumar V/s. State of Bihar and non-initiating to issue the Notice under Section 35 (3) of B.N.S.S. Act and trying to arrest the Petitioner in Crime No.92 of 2026 for the offence under Section

318 (4) B.N.S. on the file of Lingal Police Station by colluding with the Respondent No.6 is illegal, arbitrary, unconstitutional and violation of Articles 14, 15, 21 and 300-A of Constitution of India and also violation of Principles of Natural Justice and consequently direct the Respondent No.5 to implement the directions of the Honourable Apex Court in Arnesh Kumar V/s. State of Bihar and not to arrest the Petitioner in Crime No.92 of 2026 by issuing notice under Section 35 (3) of B.NS.S Act.

**I.A. NO: 1 OF 2026**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent No.5 to implement the directions of the Hon'ble Apex Court in Arnesh Kumar V/s. State of Bihar and not to arrest the Petitioner in Crime No.92 of 2026 by issuing notice under Section 35 (3) of B.N.S.S Act pending disposal of the Writ Petition.

**Counsel for the Petitioner: SRI RAPOLU BHASKAR**

**Counsel for the Respondent Nos.1 to 5: SRI D.PRADEEP, AGP FOR HOME**

**Counsel for the Respondent No.6: - - -**

**The Court made the following: ORDER**

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

**AT HYDERABAD**

**THE HONOURABLE SMT. JUSTICE T. MADHAVI DEVI**

**WRIT PETITION NO.33230 OF 2026**

**(CNR No.HBHC010678402026)**

**DATED : 01.10.2026**

Between:

Vadthya Ravinder

... Petitioner

AND

The State of Telangana, rep. by its
Principal Secretary, Home Department,
Secretariat Building, Secretariat,
Hyderabad and others

... Respondents

**O R D E R**

Alleging highhandedness on the part of respondent No.5 in threatening to arrest the petitioner at the behest of respondent No.6 without following the procedure established by law and also seeking a direction to respondent No.5 to issue a notice under Section 35(3) of BNSS to the petitioner in connection with FIR No.92 of 2026 on the file

of Lingal Police Station, Nagarkurnool District registered against him, this Writ Petition has been filed.

**2.** It is submitted that the subject FIR has been registered for the offence punishable under Sections 318(4) of BNS which prescribes punishment of less than 7 years and the respondent police may be directed to issue a notice under Section 35(3) of BNSS to the petitioner, instead of arresting him, as per the guidelines of the Hon'ble Supreme Court of India in the case of **Arnesh Kumar Vs. State of Bihar and others (AIR 2014 SC 2756).**

**3.** Sri D. Pradeep, learned Assistant Government Pleader for Home is also heard.

**4.** This Court finds that as the matter stands today, the provision/section of BNS which has been included in the FIR requires only a notice under Section 35(3) of BNSS. Therefore, the official respondents are directed to issue a notice under Section 35(3) of BNSS to the petitioner and take action in accordance with law if the petitioner submits his explanation thereto. The official respondents are further directed not to interfere with the personal liberty of the petitioner and

also not to summon the petitioner to the police station without any justifiable cause.

**5.** The Writ Petition is accordingly disposed of. No order as to costs.

**6.** Pending miscellaneous petitions, if any, in this Writ Petition shall stand closed.

**Sd/-A.H.S. GOWRI SHANKAR**
**ASSISTANT REGISTRAR**

**//TRUE COPY//**

**SECTION OFFICER**

**To,**

1. The Principal Secretary, Home Department, Secretariat Building, Secretariat, Hyderabad.
2. The Director General of Police, Hyderabad, Telangana.
3. The Superintendent of Police, Nagarkurnool, Nagarkurnool District.
4. The Deputy Superintendent of Police, Nagarkurnool Division, Nagarkurnool District.
5. The Station House Officer, Lingal Police Station, Nagarkurnool District.
6. One CC to SRI RAPOLU BHASKAR, Advocate [OPUC]
7. Two CCs to GP FOR HOME, High Court for the State of Telangana, at Hyderabad [OUT]
8. Two CD Copies

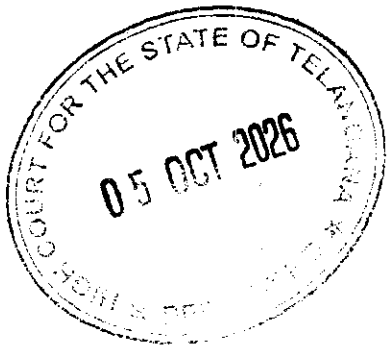
PMK

**HIGH COURT** **CC TODAY**

**DATED: 01/10/2026**

**ORDER**

**WP.No.33230 of 2026**




**DISPOSING OF THE WRIT PETITION**

**WITHOUT COSTS**

(11) SPJ
DS 1/10/26