IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

MONDAY, THE FIFTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 16222 OF 2026

Between:

1. DANDOTHI NARSIMLU, S/o D. Ramappa, Age: about 63 Years, Occ.:Retired ASI, R/o H.No. 12-2-709/7/B, Guddimalkapur, Mehdipatnam, Asifnagar, Hyderabad - 500028, Telangana
2. DANDOTHI ANANTHA, LAKSHMI, W/o Dandothi Narsirnlu, Age: about 55 Years, Occ.:Homemaker, R/o H.No. 12-2-709/7/B, Guddimalkapur, Mehdipatnam, Asifnagar, Hyderabad - 500028, Telangana
3. DANDOTHI ANAND, S/o Dandothi Narsimlu, Age: about 40 Years, Occ.:Pvt. Employee, R/o H.No. 12-2-709/7/B, Guddimalkapur, Mehdipatnam, Asifnagar, Hyderabad - 500028, Telangana
4. DANDOTHI ANIL, S/o Dandothi Narsimlu, Age: about 31 Years, Occ.:Pvt. Employee, R/o H.No. 12-2-709/7/B, Guddimalkapur, Mehdipatnam, Asifnagar, Hyderabad - 500028, Telangana, Presently residing at Singapore.
5. DANDOTHI VISHALA, W/o Dandothi Anand, Age: about 34 Years, Occ.:Homemaker, R/o H.No. 12-2-709/7/B, Guddimalkapur, Mehdipatnam, Asifnagar, Hyderabad - 500028, Telangana

...Petitioners/Accused Nos. A-2 to A-6

AND

1. THE STATE OF TELANGANA, Rep. by its Public Prosecutor, High Court High Court Building, Telangana

...Respondent/Complainant

2. NEELIMA KAVALI, D/o. Kavali Hanumathu, Aged: 30 years, Occ.:Private Employee, R/o. Padmavathi Colony, Balajinagar, Parigi Municipality.

...Respondent/Defacto Complainant

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 proceedings against Accused Nos. A-2 to A-6 in Crime No 349/2026 registered by Parigi Police Station, Vikarabad District on 17.09.2026 for the alleged offences under Sections 85, 316(2)/316(4), 118(1)/118(2), 351 r/w 3(5) of BNS and Sections 3, 4 86 6 of the Dowry Prohibition Act, 1961 and all further proceedings arising therefrom.

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 direct the Respondent Police not to take any coercive steps against the Petitioners/A-2 to A-6 in connection with Crime No. 349/2026, dated 17.09.2026, registered for the offences under Sections 85, 316(2)/316(4), 118(1)/118(2), 351 r/w 3(5) of BNS and Sections 3, 4 86 6 of the Dowry Prohibition Act, 1961, including arrest, detention or any other coercive action.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Rajashekar Thallapally, Advocate for the Petitioners and the Sri Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondent No.1.

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.16222 of 2026

CNR.No. HBHC010679322026

Date: 05.10.2026

Between:
Dandothi Narsimlu and 4 others

...Petitioners

AND

The State of Telangana and another

...Respondents

ORDER

This Criminal Petition has been filed by the petitioners/accused Nos.2 to 6 seeking to quash the proceedings in FIR No.349 of 2026 of Pargi Police Station, Vikarabad, registered for the offences punishable under Sections 85, 316(2), 118(2) and 351 r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Sections 3, 4 and 6 of the Dowry Prohibition Act, 1961 (for short 'DP Act').

2. Heard Mr.Rajashekar Thallapally, 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 submitted that the petitioners have not committed the alleged offence and have been falsely implicated in the present crime by making omnibus allegations solely on the ground that the petitioners are family members of accused No.1, who is none other than the husband of respondent No.2. At no point of time did respondent No.2 live with the petitioners: hence, the question of the petitioners harassing respondent No.2 or demanding additional dowry does not arise, as alleged in the complaint. He further submitted that respondent No.2 left the matrimonial house of her husband, i.e., accused No.1, and filed the present complaint by giving a criminal colour to the matrimonial dispute. He further submitted that initially, the crime was registered for the offences punishable under Sections 85, 316(2), 118(1), and 351 read with Section 3(5) of the BNS and Sections 3, 4 and 6 of the DP Act, and subsequently, the offence under Section 118(1) of the BNS was altered to Section 118(2) of the BNS. Except for the offence under Section 118(2) of the BNS, the other offences are punishable with imprisonment of less than

seven years. Section 118(2) was subsequently altered with an intention to avoid following the mandatory procedure prescribed under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, "BNSS"), and the guidelines formulated by the Hon'ble Supreme Court in ***Arnesh Kumar Vs. State of Bihar***[1]**.** He further submitted that accused No.1 was arrested on 24.09.2026 and produced before the Judicial First Class Magistrate at Parigi, Vikarabad District, for remand. However, the learned Magistrate did not accept the remand and granted him bail. He further submitted that the petitioners are ready and willing to cooperate with the investigation and, therefore, prayed that the Investigating Officer may be directed not to take any coercive steps against the petitioners.

5. *Per contra*, the learned Additional Public Prosecutor submits that there are specific allegations in the complaint that the petitioners harassed respondent No.2 for additional dowry. Whether the allegations levelled in the complaint are true or not the same has to be ascertained during the course of investigation. He further submitted that, based on the material available before him,

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[1](2014) 8 SCC 273

the Investigating Officer altered the offence from Section 118(1) of the BNS to Section 118(2) of the BNS. However, the remand of accused No.1 was not accepted by the learned Magistrate. Since, except for the offence under Section 118(2) of the BNS, the other offences are punishable with imprisonment of less than seven years, the Investigating Officer intends to follow the procedure contemplated under Section 35(3) of the BNSS and the guidelines laid down by the Hon'ble Apex Court in ***Arnesh Kumar (supra)***.

6. In view of the above, this Court is of the considered view that the ingredients of Section 118(2) of the BNS are not attracted against the petitioners. Except for the offence under Section 118(2) of the BNS, the other 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 the guidelines laid down by the Hon'ble Apex Court in ***Arnesh Kumar (supra)***.

7. Taking into consideration the peculiar facts and circumstances of the case, the petitioners are directed to appear before the Investigating Officer on or before 14.10.2026 and the

Investigating Officer is directed 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)***. It is needless to mention that the petitioners are entitled to put forth their grievance, if any, upon receipt of notice under Section 35(3) of the BNSS, and produce all documents available with them before the Investigating Officer. The petitioners shall also cooperate with the investigation.

8. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications, pending if any, shall stand closed.

SD/-C. DEEPIKA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Parigi, Vikarbad District.
2. Station House Officer Police Station Pargi, Vikarabad District.
3. One CC to Sri Rajashekar Thallapally, Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR High Court for the State of Telangana, at Hyderabad [OUT]
5. Two CD Copies

BA/GNK

HIGH COURT

DATED: 05/10/2026



ORDER

CRLP.No.16222 of 2026

DISPOSING OF THE CRIMINAL PETITION

(8)
PVL
15/10/2026