IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

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

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 16192 OF 2026

Between:

The State of Telangana, Through Station House Officer, Chennaraopet P.S., Warangal Commissionerate, Rep. by The Public Prosecutor, High Court for the State of Telangana.

...PETITIONER/ACCUSED

AND

1. Ramoji Ravi, S/o. Ramchandram, Aged about 41 years, Occ. Business, R/o. H.No.8-6-363/31, Bhavani Nagar, Old Bowenpally, Secunderabad.
2. Medi Praveen, R/o. 3-87, Papaiahpeta, Post Chennaraopet, Warangal District
3. Medi Praveen, S/o. Medi Srinivas, Aged about 36 years, Occ. Employee, R/o. 3-87, Papaiahpeta, Post Chennaraopet, Warangal District.

...RESPONDENTS/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 proceedings against me in Crl.M.P.No. 44 of 2026 in STC NI No. 8580/2023 by the XX Additional Chief Metropolitan Magistrate, Secunderabad as the same are abuse of process of law.

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 grant stay of all further proceedings including execution of NBWs against me in STC NI.No.8580/2023 by the XX in Crl.M.P.No. 44 of 2026 Additional Chief Metropolitan Magistrate, Secunderabad 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 Jithender Rao Veeramalla, the Addl. Public Prosecutor, for the Petitioner and none appeared on behalf of the Respondents No.1 to 3.

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.16192 of 2026
CNR.No. HBHC010682462026
Date: 01.10.2026

Between:

The State of Telangana

...Petitioner

AND

Ramoji Ravi and another

...Respondents

ORDER

This Criminal Petition has been filed by the State, on behalf of the Sub-Inspector of Police/Station House Officer, Chennaraopet Police Station, Warangal Commissionerate, invoking the jurisdiction of this Court under Section 528 of the BNSS, aggrieved by the *suo motu* proceedings initiated by the learned XX Additional Chief Metropolitan Magistrate, Secunderabad, in Crl.M.P.No.44 of 2026 in S.T.C.NI.No. 8580 of 2023, and the docket orders dated 08.07.2026 and 11.08.2026, whereby the learned Magistrate issued a Non-Bailable Warrant (NBW) against him.

2. Heard Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for the petitioner-State.

3. Notice to the respondents is dispensed with on the ground that the petitioner filed the present criminal petition aggrieved by the initiation of *suo moto* proceedings vide Crl.M.P.No.44 of 2026 against Sub-Inspector of Police/Station House Officer for non execution of NBW against respondent No.2 and not submitting report and issuing memo on 08.07.2026 and issuing NBW against him on 11.08.2026 and petitioner is not seeking any relief against respondents.

4. Learned Additional Public Prosecutor submitted that respondent No.1 filed a complaint against respondent No.2 for the offence under Section 138 of the Negotiable Instruments Act, 1881. In the said case, the learned trial Court issued an NBW against respondent No.2 on 24.04.2025 and entrusted the same to the Station House Officer, Chennaraopet Police Station, for execution. As the said NBW was not executed, the learned trial Court issued a reminder on 30.07.2025. Thereafter, on 10.08.2025, a show-cause notice was issued calling for an explanation from the Station House Officer, Chennaraopet Police Station, as the NBW

issued against respondent No.2 on 24.04.2025 had not been executed.

4.1. He further submitted that on 07.01.2026, the learned trial Court directed the office to prepare and put up an office note for taking appropriate steps against the Station House Officer, Chennaraopet Police Station. Basing on the said note, the learned trial Court *suo motu* registered Crl.M.P.No.44 of 2026 on 12.01.2026 and issued summons to the Station House Officer, Chennaraopet Police Station, requiring his appearance and posted the said petition to 03.02.2026. However, respondent No.1 failed to pay the process fee. Accordingly, said petition was adjourned to 19.05.2026. He further submitted that the learned trial Court issued an NBW against the Station House Officer, Chennaraopet Police Station. On 19.05.2026, the Station House Officer, Chennaraopet Police Station, appeared before the learned trial Court and filed an application under Section 70(2) of the Cr.P.C. seeking recall of the NBW and explaining the reasons for non-execution of the NBW issued against respondent No.2. The learned trial Court allowed the said application and recalled the NBW, and posted the matter to 10.06.2026.

4.2. On 10.06.2026, the Station House Officer, Chennaraopet Police Station, once again appeared before the learned trial Court and informed the Court that the NBW issued against respondent No.2 had been misplaced. He therefore filed a petition seeking issuance of a fresh NBW to enable him to execute the same. Accordingly, a fresh NBW was issued and entrusted to him for execution and posted the said petition to 08.07.2026. Pursuant to the said order, on 07.07.2026, the Station House Officer, Chennaraopet Police Station, went to the address of respondent No.2. However, respondent No.2 could not be traced. The Station House Officer, Chennaraopet Police Station obtained a report from the Panchayat Secretary, Papaiyahpet dated 07.07.2026, who submitted report stating that respondent No.2 was not residing in the village and he left the village 15 years ago and whereabouts are not known. On 08.07.2026, the Head Constable, who was deputed by the Chennaraopet Police Station, appeared before the learned trial Court and returned the NBWs along with the report of the Panchayat Secretary and the learned trial Court had received the said report and endorsed on the report and posted the matter to 11.08.2026. However, the learned trial Court inadvertently in the docket order recorded the finding that the NBW entrusted to the

Station House Officer, Chennaraopet Police Station, but neither had it been executed nor returned. Accordingly, the learned trial Court directed issuance of a memo to the Station House Officer, Chennaraopet Police Station, on payment of process and posted the petition to 11.08.2026.

4.3. On 11.08.2026, the learned trial Court had issued an NBW against the Station House Officer, Chennaraopet Police Station, posting the matter to 29.09.2026. Immediately upon coming to know about the issuance of the NBW against him, the Station House Officer, Chennaraopet Police Station, approached the trial Court and filed an application under Section 70(2) of the Cr.P.C. seeking recall of the NBW. However, the learned trial Court did not entertain the said application, though the Station House Officer, Chennaraopet Police Station, through the Head Constable, had already submitted a report along with the report of the Panchayat Secretary dated 07.07.2026, and the learned trial Court had received and acknowledged the same on 08.07.2026, the trial Court, notwithstanding the said report, issued an NBW against the Station House Officer, Chennaraopet Police Station for non-execution of the NBW issued against respondent No.2 and for non-submission of the compliance report. The same is contrary to the

proceedings on record and settled principles of law. Hence, continuation of the proceedings in Crl.M.P.No.44 of 2026 against the Station House Officer, Chennaraopet Police Station is a clear abuse of the process of law.

5. Having considered the submissions made by the learned Additional Public Prosecutor and upon perusal of the material available on record, it reveals that pursuant to the NBW entrusted to the Station House Officer, Chennaraopet Police Station, he submitted a report before the learned trial Court through Head Constable on 08.07.2026, enclosing the report of the Panchayat Secretary dated 07.07.2026, wherein the Panchayat Secretary specifically stated that respondent No.2 left the village about 15 years ago and his whereabouts are not known. The learned trial Court, having received the said return report submitted by the Station House Officer, Chennaraopet Police Station on 08.07.2026, nevertheless proceeded with the application and issued memo against the Station House Officer, on the very same day and on 11.08.2026 issued NBW against the Station House Officer, Chennaraopet Police Station. Hence, this Court is of the considered view that the impugned docket orders dated 08.07.2026 and 11.07.2026 in Crl.M.P.No.44 of 2026 in S.T.C.NI.No.8580 of 2023

to the extent of issuing summons and NBW against the Station House Officer, Chennaraopet Police Station are contrary to the report dated 08.07.2026 submitted by the Station House Officer and the same is clear abuse of process of law.

6. For the foregoing reasons, the docket orders dated 08.07.2026 and 11.07.2026 in Crl.M.P.No.44 of 2026 in S.T.C.NI.No.8580 of 2023 passed by the learned trial Court against the Station House Officer, Chennaraopet Police Station are liable to be quashed, and are accordingly quashed. However, the learned trial Court is entitled to proceed with the matter in S.T.C.No.8580 of 2023 in accordance with law.

7. Accordingly, the Criminal Petition is allowed.

Pending miscellaneous applications, if any, shall stand closed.

SD/- P. PONNA KRISHNA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XX Additional Chief Metropolitan Magistrate, Secunderabad
2. The Station House Officer, Police Station Bowenpally, Secunderabad.
3. Twc CCs to PUBLIC PROSECUTOR High Court for the State of Telangana, at Hyderabad [OUT]
4. Two CD Copies

TPK/GNK

HIGH COURT

DATED: 01/10/2026

ORDER

CRLP.No.16192 of 2026



CRIMINAL PETITION IS ALLOWED

7 copies
by
9/10/26