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: 16350 OF 2026

Between:

1. Tibirisetti Satya Siva Saradhi, S/o. Tibirisetti Rama Krishna, aged about 43 years, Occ: Private Employee, R/o. H. No. 16,35 Nalanda Nagar, Hyderguda, Attapur, Ranga Reddy District.
2. Tibirisetti Chittamma, W/o. Tibirisetti Rama Krishna, aged about 60 years, Occ: House Wife, R/o. H. No. 16,35 Nalanda Nagar, Hyderguda, Attapur, Ranga Reddy District.
3. Tibirisetti Rama Krishna, aged about 65 years, Occ: Private Employee, R/o. H. No. 16,35 Nalanda Nagar, Hyderguda, Attapur, Ranga Reddy District.
4. Tibirisetti Sunil Kumar, aged about 40 years, Occ: Private Employee, H. No. 16,35 Nalanda Nagar, Hyderguda, Attapur, Ranga Reddy District.

...Petitioners/Accused Nos.1 to 4

AND

1. Thc State of Telangana, Rep. by its Public Prosecutor, High Court of Telangana, Hyderabad.
2. Tibirisetti Lavanya, W/o. Tibirisetti Satya Siva Saradhi, aged about 41 years, Occ: House Wife, R/o. H. No. 52, 1st Floor, Jyothi Nagar, Langarhouse, Hyderabad - 500 008.

...Respondent/De-facto Complainant

Petition under Section 528 of B.N.S.S. praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to Quash the FIR No. 269 of 2026 dated 19.09.2026 registered against the Petitioners for offences under sections 85, 351(2) BNS, 2023 and sections 3 & 4 of Dowry Prohibition Act, 1961 on the file of the SHO, WPS Rajendra Nagar Zone (Hyderabad).

I.A. NO: 2 OF 2026

Petition under Section 528 of B.N.S.S. 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 in FIR No. 269 of 2026 dated 19.09.2026 registered against the Petitioners for offences under sections 85, 351(2) BNS, 2023 and sections 3 and 4 of Dowry Prohibition Act, 1961 on the file of the SHO, WPS Rajendra Nagar Zone (Hyderabad) including appearance of the Petitioners before the SHO, WPS Rajendra Nagar Zone (Hyderabad) pending disposal of the above Quash Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri D. Sanjay Kumar, learned counsel representing Sri S. Sridhar, Advocate for the Petitioners and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor on behalf of the Respondent No.1 and None appeared for the Respondent No.2.

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.16350 of 2026

CNR No. : HBHC010683012026

Date: 06.10.2026

Between:
Tibirisetti Satya Siva Saradhi and three others

...Petitioners

AND

The State of Telangana and another.

...Respondents

ORDER

This Criminal Petition has been filed by the petitioners/accused Nos.1 to 4 seeking to quash the proceedings in Crime No.269 of 2026 of WPS Rajendranagar Zone (Hyderabad), Hyderabad, registered for the offences punishable under Sections 85 and 351(2) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS') and Sections 3 and 4 of the Dowry Prohibition Act, 1961(for short 'D.P. Act').

2. Heard Mr.D.Sanjay Kumar, learned counsel representing Mr.S.Sridhar, 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 submits that the petitioners have not committed the alleged offences and have been falsely implicated in the present case. At no point of time, petitioner Nos.2 to 4 harassed respondent No.2 or demanded for additional dowry as alleged in the complaint. He further submitted that the ingredients of the offences under Sections 85 and 351(2) of the BNS and Sections 3 and 4 of the D.P. Act are not attracted against the petitioners and are punishable with imprisonment of less than seven years. The Investigating Officer, without following the mandatory procedure prescribed under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') and without following the guidelines formulated by the Hon'ble Supreme Court in ***Arnesh Kumar Vs. State of Bihar***[1], is proceeding further in the matter and the same is contrary to law.

5. *Per contra*, learned Additional Public Prosecutor submitted that there are specific allegations levelled in the complaint against the petitioners regarding harassment and demand for additional

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[1](2014) 8 SCC 273

dowry, as well as threatening respondent No.2 with dire consequences. Whether the petitioners have committed the alleged offences or not has to be revealed during the course of investigation, and the petitioners are not entitled to seek quashing of the proceedings at this stage. He further submitted that the offences levelled against the petitioners are punishable with imprisonment of less than seven years and that the Investigating Officer has already issued notice under Section 35(3) of the BNSS to petitioner No.1 and intends to follow the very same procedure in respect of petitioner Nos.2 to 4. However, petitioner Nos.2 to 4 are avoiding receipt of the notice and are not cooperating with the Investigating Officer.

6. By way of reply, learned counsel for the petitioners submits that the petitioners will cooperate with the investigating officer.

7. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that petitioner No.1 and respondent No.2 are husband and wife and matrimonial disputes arose between them. The record further reveals that the 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 issued notice under Section 35(3) BNSS to petitioner No.1 and he intends to follow the very same procedure in respect of petitioner Nos.2 to 4 also.

8. In view of the above, the petitioner Nos.2 to 4 are directed to appear before the Investigating Officer on or before 26.10.2026 and submit reply/explanation along with the documents, which are available with them, to the Investigating Officer. The Investigating Officer is entitled 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).

9. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications, pending if any, shall stand closed.

SD/- B. REKHA RANI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XV Additional Chief Metropolitan Magistrate at Hyderabad City
2. The Station House Officer, WPS Rajendra Nagar Zone (Hyderabad), Hyderabad.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri. S. Sridhar, Advocate [OPUC]
5. Two CD Copies

GNK

HIGH COURT

DATED: 06/10/2026



ORDER

CRLP.No.16350 of 2026

DISPOSING OF THE CRIMINAL PETITION

15/10/26