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

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

PRESENT

THE HONOURABLE SMT JUSTICE TANGIRALA MADHAVI DEVI

WRIT PETITION NO: 33627 OF 2026

Between:

1. B. Venkat Reddy, S/o Late Narsi Reddy Aged about 57 Year, Occ. agriculture R/o H. No. 3-118 Bommalaramram Village and Mandal Yadadri Bhuvanagiri District.
2. B. Madhu Mohan Reddy, S/o B. Venkat Reddy R/o 31 Year, Occ. Business, R/o H. No. 3-118 Bommalaramram Village and Mandal Yadadri Bhuvanagiri District.

...PETITIONERS

AND

1. The State of Telangana, Rep. by its Principal Secretary, Home Department, Secretariat Buildings, Hyderabad
2. The Superintendent of Police, Bhuvanagiri, Yadadri Bhuvanagiri District
3. The station House officer, Bommalaramram Police station Yadadri Bhuvanagiri 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 hold the act of the respondent No.3 to the writ Petition, in trying to apprehend Writ Petitioners Person and Cause arrest in F.I.R No. 245/ 2026, Registered on the file of respondent No.3 to the writ Petition, as of acting in Totally Lawless, Unguided and in Violation of Guidelines of Judgment reported in Arnesh Kumar Vs state of U.P, consequentially, issue a command or order, More Particularly one in the Nature of Mandamus, Fortiori, direct respondent No.3 to the writ Petition, to Serve Writ Petitioner,

with Notices, under section 35(3) of BNSS act of 2023 and receive any reply, From writ Petitioners end.

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.3 to the writ Petition, not to arrest writ Petitioners in F.I.R No. 245 of 2026.

Counsel for the Petitioners: SRI M.RATHAN SINGH
Counsel for the Respondents: AGP FOR HOME

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SMT JUSTICE TANGIRALA MADHAVI DEVI

W.P.NO. 33627 OF 2026
(CNR No. HBHC010688052026)
DATED: 05.10.2026

Between
B.Venkat Reddy and Another

... Petitioners

And

The State of Telangana and Two Others.

... Respondents

ORDER

This Writ Petition is filed seeking the following relief:

"...to hold the act of the respondent No.3 to the writ petition in trying to apprehend Writ Petitioners and Cause arrest in FIR No.245/2026, registered on the file of respondent No.3 to the writ Petition, as of acting in Totally Lawless, Unguided and in Violation of Guidelines of Judgment reported in Arnesh Kumar Vs. State of U.P., consequentially issue a command or order more particularly one in the Nature of Mandamus, certiorari, direct respondent No.3 to the writ petition to serve writ petitioners with Notices under Section 35(3) of BNSS act of 2023 and receive any reply, from writ petitioners and to pass..."

2. The learned Assistant Government Pleader for Home, on oral instructions, submitted that the FIR has been registered against the petitioners vide Crime No.245 of 2026, under Sections 126(2), 132, 121(1), 115(2), 351(2), 352(2) r/w 3(5) of BNS on 01.10.2026 and the investigation is under progress.

3. The learned counsel for the petitioners submitted that the offences registered against the petitioners prescribes less than seven years punishment and therefore, the respondent police have to follow the guidelines issued by the Hon'ble Supreme Court in the case of **Arnesh Kumar Vs. State of Bihar**, reported in 2014 SC 2756.

4. Having regard to the fact that the offences under Sections 126(2), 132, 121(1), 115(2), 351(2), 352(2) r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023, are punishable with imprisonment which may extend to seven (07) years, the respondent police are directed to follow the procedure contemplated under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023, before taking any coercive steps against the petitioners. The respondent police shall

also scrupulously follow the guidelines laid down by the Hon'ble Supreme Court in the case of ***Arnesh Kumar (cited supra)***, and thereafter proceed strictly in accordance with law. The petitioners shall cooperate with the investigation in accordance with law. The respondent police shall not summon the petitioners to the police station except for justifiable cause.

5. With the above observations and directions, this Writ Petition is disposed of. There shall be no order as to costs.

6. Miscellaneous petitions, if any, pending in this writ petition, shall stand closed.

SD/- S.MALLIKARJUNA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Home Department, Secretariat Buildings, Hyderabad, State of Telangana.
2. The Superintendent of Police, Bhuvanagiri, Yadadri Bhuvanagiri District
3. The Station House Officer, Bommalaramram Police Station, Yadadri Bhuvanagiri District
4. One CC to SRI M.RATHAN SINGH, Advocate [OPUC]
5. Two CCs to GP FOR HOME, High Court for the State of Telangana, at Hyderabad. [OUT]
6. Two CD Copies

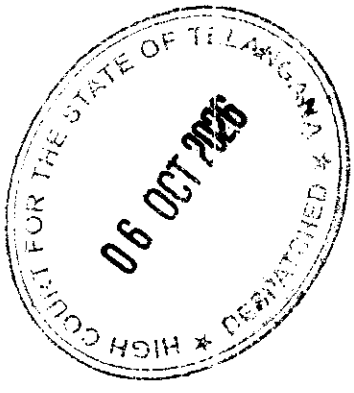
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CC TODAY

HIGH COURT

DATED: 05/10/2026

ORDER
WP.No.33627 of 2026



DISPOSING OF THE WRIT PETITION

WITHOUT COSTS.

9 SRT
6/10/26