IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE NINTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 16686 OF 2026

Between:

Madhu Paraneshwar Rao, S/o. K. Bramhanandam, Aged about 46 years, Occ. Business, R/o. Plot No. 102, Near Sri Baba Temple, Gayathrinagar, Rangareddy District.

...PETITIONER/ACCUSED No. 1

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court for the State of Telangana at Hyderabad Through P.S. Meerpet, Rangareddy District, Telangana.
2. Sanan Khader, D/o. Late. MA Khader, Aged about 38 years, Occ. Govt Employee, R/o. Lotus Womens Hostel and PG, Narayanaguda, Near Metro Piller No. 1151, Hyderabad.

...RESPONDENTS/COMPLAINANTS

Petition under Section 528of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash the crime registered vide impugned FIR No. 271 of 2026, dt. 02.03.2026 registered U/sec. 316(2), 324(5) r/w. 3(5) of BNS Act on the file of P.S. Meerpet, RangareddyDistrict, Telangana.

I.A. NO: 2 OF 2026

Petition under Section 482 of Cr.P.C 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 stay of arrest in furtherance of the crime registered vide FIR 271 of 2026, dt. 02.03.2026 registered U/sec. 316(2),

324(5) r/w 3(5) of BNS Act on the file of P.S. Meerpet, Rangareddy District, Telangana.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Mahesh Kosgi representing Sri R. Mangulal, Advocate for the Petitioner, 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.16686 of 2026

CNR.No. HBHC010697962026
Date : 09.10.2026

Between:
Madhu Paraneshwar Rao

...Petitioner/accused No.1

AND
The State of Telangana and another

...Respondents

ORDER

This Criminal Petition has been filed seeking to quash the proceedings in Crime No.271 of 2026 of Meerpet Police Station, Ranga Reddy District, wherein the petitioner was arrayed as accused No.1, registered for the offences punishable under Sections 316(2) and 324(5) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. Heard Mr. Mahesh Kosgi, learned counsel representing Mr. R.Mangulal, learned counsel for the petitioner and Mr. Jithender Rao Veeramalla, and learned Additional Public Prosecutor for respondent No.1. With their consent, this criminal petition is disposed of at the stage of admission.

3. Learned counsel for the petitioner submitted that the petitioner has not committed the alleged offences and has been falsely implicated in the present crime. The allegations levelled

in the complaint are purely civil in nature, in respect of agreement of sale-cum-general power of attorney with possession dated 13.02.2021. Respondent No.2 ought to have approached a competent civil Court, on the other hand, lodged the present complaint, by giving it a criminal colour. Even according to the allegations levelled in the complaint, the ingredients of the offences punishable under Sections 316(2) and 324(5) read with 3(5) are not attracted against the petitioner. Hence, continuation of the proceedings against the petitioner is a clear abuse of the process of law. He further submitted that the offences alleged against the petitioner 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 'the 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.

4. *Per contra*, learned Additional Public Prosecutor submitted that there are specific allegations levelled against the petitioner in the complaint that under the guise of mortgage documents, the petitioner has fraudulently got executed GPA in their favour and sold to one Jangam Sudheer Reddy, who

[1](2014) 8 SCC 273

obtained Rs.80,00,000/- by mortgaging the property, which resulted the complainant to lose the possession of her house. The said allegations *prima facie* attracts cognizable offences. Whether the allegations made against the petitioner are true or not, the same has to be revealed during the course of investigation, especially the investigation is under progress. Hence, the petitioner is not entitled to seek quashment of the proceedings against him at threshold. Since the offences levelled against the petitioner are punishable with imprisonment of less than seven years, when the Investigating Officer is trying to follow the due procedure as contemplated under the provisions of Section 35(3) of the BNSS, the petitioner is evading the receipt of notice and not cooperating with the investigation from the date of registration of crime.

5. Learned counsel for the petitioner by way of reply submitted that the petitioner will cooperate with the investigation.

6. Having considered the rival submissions made by the respective parties and upon perusal of the material available on record, it reveals that the allegations levelled in the complaint about the dishonest intention on the part of the petitioner. Whether the said allegations are true or not, the same will be revealed during the course of investigation. The offences levelled

against the petitioner are punishable with imprisonment of less than seven years. Even according to the learned Additional Public Prosecutor, the Investigating Officer recorded the statements of LW.1 and he wants to follow the due procedure as contemplated under the provisions of Section 35(3) of the BNSS.

7. In view of the same, the petitioner is directed to appear before the Investigating Officer on or before 17.10.2026 and on such appearance, the Investigating Officer is directed to follow the procedure contemplated under the provisions of the BNSS, and also the guidelines formulated by the Hon'ble Apex Court in ***Arnesh Kumar*** (supra) and the petitioner shall cooperate with the investigation. It is needless to mention that the petitioner is entitled to submit reply to the notice under Section 35(3) of the BNSS by raising all the pleas which are available to him and he is also entitled to submit the documents, if any, which are in his custody, to the Investigating Officer.

8. 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 VI AJCJ-Cum-VI AJMFC Court at LB Nagar, R.R. District
2. The Station House Officer, Meerpet Police Station, Malkajgiri District.
3. One CC to Sri R. Mangulal Advocate [OPUC]

4. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
5. Two CD Copies

VH/GNK

HIGH COURT

DATED: 09/10/2026



ORDER

CRLP.No.16686 of 2026

DISPOSING OF THE

CRIMINAL PETITION

(8) kyl

15/10/26