**IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD**

FRIDAY, THE THIRTEENTH DAY OF NOVEMBER TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

**CRIMINAL PETITION NO: 18641 OF 2026**

**Between:**

1. Naspoori Ramakka, W/o Late Rajam, Age. 76 Yrs, Occ. Household, R/o H.No. 25-140, Ashok Road, Mancherial, R/m and Dist. Mancherial, TS.
2. Smt.Naspoori @ Nerella Padma, W/o Sudeep, Age.42 Years, Occ.SAinZPHS, R/o H.No. 1-176/2-3/A/1, Maruthi Nagar, Mancherial, R/m and Dist. Mancherial, TS.
3. Smt.Edulla Janaki, W/o. Srinivas, Age. 49 Years, Occ.Housewife, R/o H.No.24-286, Seetharam Colony, Mancherial, R/m and Dist. Mancherial, TS.
4. Smt.Ayitipamula Manga, W/o. Narsaiah, Age. 45 Years, Occ. Housewife, R/o H.No.2-3, Old Post Office, Bheemaram, R/m. Jaipur, Dist. Mancherial, TS.
5. Edulla Srinivas, S/o Ramaswamy, Age. 55 Yrs, Occ. Private Employee in Quality Bread Company, R/o H.No.24-286, Seetharam Colony, Mancherial, R/m and Dist. Mancherial, TS.
6. Ayitipamula Narsaiah, S/o Mallaiah, Age. 49 Yrs, Occ. Dry Cleaning Shop, R/o H.No.2-3, Old Post Office, Bheemaram, R/m.Jaipur, Dist. Mancherial, TS.
7. Nerella Sudeep, S/o Srinivas Rao, Age.41 Yrs, Occ. PET Teacher in TS Model School, R/o H.No.1-176/2-3/A/1, Maruthi Nagar, Mancherial, R/m and Dist. Mancherial, TS.

**...Petitioner/Accused No.2 to 8**

**AND**

1. The State of Telangana, through SHO of WPS, Srirampur rep. by Public Prosecutor, High Court of Telangana, Hyderabad.
2. Anitharani Beddala, W/o Naspuri Venugopal, Age.38 Years, Occ. Nursing Officer, R/o Reddy Colony, Near Pochamma Temple, Mancherial, R/m and Dist. Mancherial, TS.

**...Respondents**

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 proceedings/FIR in Cr.No 118 of 2026 of WPS, Srirampur, dated 06-10-2026 the file of II Additional Judicial Magistrate of First Class at Mancherial, against Petitioner No.1 to 7/Accused 2 to 8.

**I.A. NO: 3 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 stay all further proceedings in Cr.No.118/2026 of WPS, Srirampur, pending on file of the Court of the II Addl Judicial First Class Magistrate at Mancherial, and also grant interim protection to petitioners from arresting them in connection with aforesaid FIR and comply 35(3) BNSS notice to Petitioners, until pending disposal of the present Criminal Petition, in the interest of justice.

**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 direct concern police official/SHO of WPS, Srirampur, not to arrest the Petitioners/Accused No.2 to 8 and direct concern SHO of WPS, Srirampur of Mancherial District, to comply 35(3) BNSS notice to Petitioners/A2 to 8 in Cr.No.118 of 2026, dated 06-10-2026, on the file of II Additional Judicial Magistrate of First Class at Mancherial Town & District, and direct concern Police authorities, not to take coercive steps against Petitioners.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Md. Thajuddin, 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.18641 of 2026**

**CNR No. HBHC010739382026**

**Date: 13.11.2026**

Between:

Naspoori Ramakka and 6 others

...Petitioners

AND

The State of Telangana, and another.

...Respondents

**ORDER**

This Criminal Petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, (for short 'the BNSS') by the petitioners/accused Nos.2 to 8 seeking to quash the proceedings in Crime No.118 of 2026 of Sriramapur WPS (Ramagundam) Police Station, Ramagundam Commissionerate, registered for the offences punishable under Sections 85 and 351(3) of the Bharatiya Nyaya Sanhita, 2023 (for short 'the BNS') and Sections 3 and 4 of the Dowry Prohibition Act, 1961 (for short 'the DP Act').

2. Heard Mr. Md. Thajuddin, learned counsel for the petitioners and Mr.V. Jithender Rao, learned Additional Public Prosecutor, appearing 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 any offence and have been falsely implicated in the present crime by making omnibus allegations, especially when the petitioners have never harassed the de facto complainant by demanding additional dowry or criminally intimidated her. Respondent No.2 implicated all the family members of her husband by making omnibus allegations. Hence, the continuation of proceedings against the petitioners is a clear abuse of the process of law. He further submits that the offences alleged against the petitioners are punishable with imprisonment for a term of less than seven years. However, the Investigating Officer, without following the mandatory procedure prescribed under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') and the guidelines issued by the Apex

Court in ***Arnesh Kumar Vs. State of Bihar***[1], is proceeding with the investigation and the same is contrary to law.

5. *Per contra*, the learned Additional Public Prosecutor submits that there are specific allegations levelled in the complaint against the petitioners regarding the demand and harassment made by the petitioners along with accused No.1. Whether the allegations levelled in the complaint are true or not will be revealed during the course of the investigation, especially when the investigation is still under progress. However, the offences alleged against the petitioners are punishable with imprisonment for a term of less than seven years. The Investigating Officer has already issued a notice under Section 35(3) of the BNSS to accused No.1 on 09.10.2026, and the Investigating Officer intends to follow the very same procedure in respect of the other accused.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the *de facto* complainant is none other than the wife of accused No.1, and marital disputes are pending between them. Respondent No.2 filed the present complaint on 06.10.2026. The offences alleged against the petitioners are punishable with imprisonment for a term of less than seven years. Even according to the learned Additional Public Prosecutor,

[1] (2014) 8 SCC 273

the Investigating Officer had already issued a notice under Section 35(3) of the BNSS to accused No.1 on 09.10.2026, and the Investigating Officer intends to follow the very same procedure in respect of the other accused.

7. For the foregoing reasons, the Investigating Officer is directed to follow the procedure as contemplated under provisions of the BNSS and follow the guidelines formulated by the Hon'ble Apex Court in ***Arnesh Kumar*** (supra). It is needless to mention that the petitioners are entitled to put forth their grievance by raising all the pleas which are available to them and they are also entitled to submit the documents, if any, which are in their possession, 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 II Additional Judicial Magistrate of First Class at Mancherial.
2. The Station House Officer, Srirampur WPS, Ramagundm District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri Md. Thajuddin, Advocate [OPUC]
5. Two CD Copies

**GNK/KAM**

R.R

HIGH COURT

DATED: 13/11/2026

ORDER

CRLP.No.18641 of 2026




DISPOSING OF THE CRIMINAL PETITION

8 copies

20/11/26

R.R