IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE TWENTY SEVENTH DAY OF OCTOBER TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 17745 OF 2026

Between:

1. Nimmala Narender Reddy @ Nimmareddy Narender Reddy,, S/o. Nimmareddy Esta Reddy, aged about 42 years, Occ Farmer, R/o. H.No. 4-96, Pallerla Village, Atmakur Mandal, Nalgonda District, Telangana
2. Pesarikayala Narsireddy @ Pesarikayala Narsimhareddy,, S/o. Ramchandrareddy Pesarikayala, aged about 39 years, Occ Farmer, R/o. H.No. 2-29, Pallerla Village, Athmakur Mandal, Nalgonda District, Telangana.
3. Sama Narender Reddy, S/o. Unknown, aged about 34 years, Occ Farmer, R/o. H.No. 12-144/1, Road No. 1, P andT Colony, Medipally, Medchal-Malkajgiri District, Telangana.
4. Solipuram Narender Reddy, S/o. Solipuram Narsi Reddy, aged about 34 years, Occ Farmer, R/o. H.No. 2-38/5/a, Pallerla Village, Athmakur Mandal, Nalgonda District, Telangana.
5. Amboju Naveen Kumar, S/o. Amboju Swamy, aged about 36 years, Occ Farmer, R/o. H.No. 9-101/22, Chenna Reddy Enclave, Peerzadiguda, Medchal- Malkajgiri District, Telangana.
6. Manga Srinu, S/o. Unknown, aged about 42 years, Occ Farmer, R/o. H.No. 3-89, Pallerla Village, Athmakur Mandal, Nalgonda District, Telangana.
7. Nomula Kanakam @ Nomula Kantlam Mahesh,, S/o. Unknown, aged about 30 years, Occ Farmer, R/o. H.No. 1-102, Pallerla Village, Athmakur Mandal, Nalgonda District, Telangana.
8. Pallapu Durgayya @ Pallapu Durgaiah,, S/o. Pallapu Tadagiri, aged about 47 years, Occ Farmer, R/o. H No. 3-69, Pallerla Village, Athmakur Mandal, Nalgonda District, Telangana.
9. Amboju Srinu,, S/o. Amboju Anjaiah, aged about 37 years, Occ Farmer, R/o. H No. 2-128, Pallerla Village, Athmakur Mandal, Nalgonda District, Telangana.
10. Nimmareddy Ashok Reddy,, S/o. Nimmareddy Esta Reddy aged about 40 years, Occ Farmer, R/o. H No. 4-96, Pallerla Village, Athmakur Mandal, Nalgonda District, Telangana.
11. Dandu Gopal, S/o. Unknown aged about 66 years, Occ Farmer, R/o. H No. 3-69/1, Pallerla Village, Athmakur Mandal, Nalgonda District, Telangana.

12. Shaik Jany,, S/o. Unknown, aged about 73 years, Off Farmer, R/o. H No. 3-45, Pallerla Village, Athmakur Mandal, Nalgonda District, Telangana.
13. Dandu Shashi, S/o. Dandu Anjaneyulu, aged about 25 years, Occ Farmer, R/o. H No. 4-36, Pallerla Village, Athmakur Mandal, Nalgonda District, Telangana.
14. Nayini Ramohan Reddy,, S/o. Unknown, aged about 33 years, Occ Farmer, R/o. H No. 3-92/6, Pallerla Village, Athmakur Mandal, Nalgonda District, Telangana.

...PETITIONERS/ACCUSED

AND

1. The State of Telangana, through SHO P.S. Athmakur(M), Rep., by Public Prosecutor, High Court for the State of Telangana, At Hyderabad.
2. Saragandla Vidya sagar,, S/o. Sathyanaryana, Aged about 33 years, Occ: Police Constable, R/o. Pallerla Village, Athmakur Mandal, Nalgonda District, Telangana.

...RESPONDENTS

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 call for the records relating to and connected with proceedings in FIR No. 177 of 2026 dated 22.10.2026, registered on the file of the Athmakur(M) P.S., Yadadri Bhuvanagiri District against the Petitioners/Accused and quash the same.

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 the arrest of the Petitioners/Accused in FIR No. 177 of 2026 dated 22.10.2026, registered on the file of the Athmakur(M) P.S., Yadadri Bhuvanagiri District, pending the disposal of the Main Quash Petition in the interest of the justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Ramulu Pasupula, Advocate for the Petitioners and Sri Jithender Rao Veeramalla, 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.17745 of 2026

CNR No. : HBHC010744132026

Date: 27.10.2026

Between:

Nimmala Narender Reddy @ Nimmareddy Narender Reddy and thirteen others

...Petitioners

AND

The State of Telangana and another

...Respondents

ORDER

This Criminal Petition has been filed by the petitioners seeking to quash the proceedings in F.I.R.No.177 of 2026 of Athmakur (M) Police Station, Yadadri Bhuvanagiri District, registered for the offences punishable under Sections 132, 221, 352 and 292 r/w 3(5) of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. Heard Mr.Ramulu Pasupula, learned counsel for the petitioners and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1.

3. Learned counsel for the petitioners submits that the petitioners have not committed the alleged offence and have been

falsely implicated in the present case by making omnibus allegations at the instance of local political party members on the ground that the petitioners belong to the opposite party. The petitioners have not obstructed respondent No.2 in discharging his official duties. The petitioners have not abused respondent No.2 or other police officials or violated the instructions during the Durga Matha Shobha Yatra. He further submits that the offences levelled against the petitioners 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.

4. *Per contra*, the learned Additional Public Prosecutor submits that there are specific allegations levelled against the petitioners that they obstructed respondent No.2 in discharging his official duties, pushed the staff, used abusive words, and violated the police instructions during the Durga Matha Shobha Yatra. Whether the petitioners have committed the offence or not have to be revealed during the course of investigation and the petitioners

[1](2014) 8 SCC 273

are not entitled to seek quashing of the proceedings at this stage. He further submitted that the Investigating Officer wants to follow the procedure contemplated under Section 35(3) of the BNSS and also the guidelines formulated by the Apex Court in ***Arnesh Kumar*** (supra) on the ground that the offences levelled against the petitioners are punishable with imprisonment less than years. However, the petitioners are avoiding to receive the notice under Section 35(3) of BNSS and not cooperating with the Investigating Officer.

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

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it 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 will follow the procedure contemplated under Section 35(3) of the BNSS and also the guidelines formulated by the Apex Court in ***Arnesh Kumar*** (supra).

7. In view of the above, the petitioners are directed to appear before the Investigating Officer on or before 06.11.2026 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).

8. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications, pending if any, shall stand closed.

SD/- S. MALLIKARJUNA RAO
ASSISTANT REGISTRAR

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SECTION OFFICER

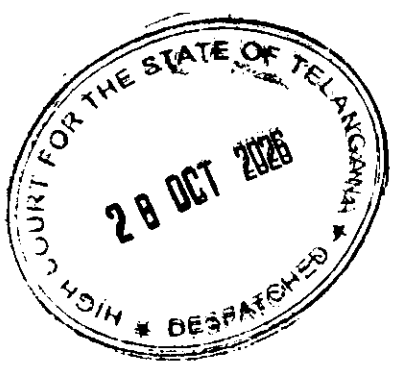
To,

1. The Judicial First Class Magistrate, Alair
2. The Station House Officer, Athmakur (M) Police Station, Yadadri Bhuvanagiri
3. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
4. One CC to Sri Ramulu Pasupula, Advocate [OPUC]
5. Two CD Copies

ABK /GNK

HIGH COURT

DATED: 27/10/2026



ORDER

CRLP.No.17745 of 2026

DISPOSING OF THE CRIMINAL PETITION

