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: 17772 OF 2026

Between:

Maddimadugu Daniel Kumar Julius @ Madimadugu Daniel Dheeraj Kumar, S/o. Prem Kumar Julius, Aged 33 years, Occ. Student, R/o. H.No.1-124, Satyanarayanapuram, Chaitanyapuri, Dilshuknagar, Hyderabad.

...Petitioner/Accused No.7

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court of Judicature, at Hyderabad.

2. Jacob Mudi S/o Janaiah, Age. 46 years, Occ. Advocate, R/o Flat No. G-4, Prashanth Pragnan Apartments, Doctors Colony, Kothapet, Hyderabad.

(R2 Impleaded as per the direction of the Hon'ble Court)

...Respondents No.1 & 2

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 set-aside the Order dated 23-10-2026 in Crl. MP.No. 2414 of 2026 in CC.No. 7046 of 2026 on the file of the VII Additional Chief Metropolitan Magistrate at Nampally, Hyderabad insofar as it rejects the petitioner's application for recall of NBW.

I.A. NO: 1 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 suspend the Order dated 23-10-2026 in Crl.MP.No. 2414 of 2026 in CC.No. 7046 of 2026 on the file of the VII Additional Chief Metropolitan Magistrate at Nampally, Hyderabad, pending disposal of the main Crl.P.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri B Madhusudhan Rao, Advocate for the Petitioner and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor on behalf of the Respondent No.1.

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.17772 of 2026
CNR No.**HBHC010744272026**

Date: 27.10.2026

Between:
Maddimadugu Daniel Kumar Julius

...Petitioner/accused No.7

AND

The State of Telangana and another

...Respondents

ORDER

This Criminal Petition is filed aggrieved by the order dated 23.10.2026, passed by the learned VII Additional Chief Metropolitan Magistrate at Nampally, Hyderabad (for short 'the trial Court'), in Crl.M.P.No.2414 of 2026 in C.C.No.7046 of 2026, wherein the petition filed by the petitioner seeking to recall the Non-Bailable Warrant (NBW) issued against him was dismissed.

2. Heard Mr. B.Madhusudhan Rao, learned counsel for the petitioner and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1.

3. Learned counsel for the petitioner submits that the petitioner is accused No.7 in C.C.No.7046 of 2026 and is facing prosecution for the offences punishable under Sections 147 and 324 read with 149 of the Indian Penal Code, 1860 (for short, "IPC") The matter before the trial Court is coming for examination of the petitioner. He further submits that the petitioner is a student residing at USA and due to the same, he could not appear before the trial Court and now he returned to India and is residing at Chaitanyapuri and the petitioner is willing to appear before the trial court to prosecute the proceedings. The trial Court, without properly considering the application filed by the petitioner for recalling the NBW, erroneously dismissed the same. Unless the NBW is recalled, the petitioner will be put to great hardship, especially the petitioner's marriage is scheduled to be held on 30.10.2026. The petitioner is ready and is willing to abide by the conditions which are going to be imposed by this Court.

4. *Per contra*, learned Additional Public Prosecutor submits that the petitioner is not attending before the trial Court and the trial Court has rightly dismissed the application, due to his non-cooperation, learned trial Court is not able to proceed with the

matter. The trial Court rightly dismissed the application filed by the petitioner and there are no grounds to interfere with the docket order passed by the learned trial Court.

5. Having considered the rival submissions made by the learned counsel for the respective parties and upon perusal of the material available on record, it reveals that the petitioner is accused No.7 in C.C.No.7046 of 2026 and is facing prosecution for the offences punishable under Sections 147 and 324 read with 149 of the IPC. The record further reveals that the matter is pertaining to Crime No.104 of 2019, due to non-cooperation of the petitioner, the original C.C.No.18507 of 2019 has split up and the trial Court is proceeding with the matter in C.C.No.7046 of 2026. The specific case of the petitioner is that the petitioner went to USA for higher studies and he returned to India and his marriage is scheduled on 30.10.2026. During the course of hearing, the petitioner is ready and is willing to appear before the trial Court and also he will appear before the trial Court and will represent the matter through his counsel on each and every date of adjournment. The petitioner has also filed a sworn undertaking affidavit stating that he will not travel abroad without prior permission of the learned trial Court.

6. Taking into consideration the peculiar facts and circumstances of the case, this Court is inclined to recall the NBW issued against the petitioner on 11.11.2024 and allow the application while setting aside the order passed by the trial Court dated 23.10.2026.

7. In view of the above, the NBW issued against the petitioner on 11.11.2024 is recalled, subject to the following conditions:

i) The petitioner shall execute a personal bond for Rs.25,000/- (Rupees Twenty-Five Thousand only), with two sureties to the satisfaction of the learned trial Court.

ii) The petitioner shall file undertaking affidavit before the trial Court that he will appear before the trial Court whenever his presence is required, and also he shall represent the matter through his counsel each and every date of adjournment, in default, the learned trial Court is entitled to proceed with the matter, in accordance with law.

8. Accordingly, the Criminal Petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

Sd/- L. LAKSHMI BABU
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The VII Additional Chief Metropolitan Magistrate at Nampally, Hyderabad.
2. The Station House Officer, Malakpet Police Station, Hyderabad.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri B Madhusudhan Rao, Advocate [OPUC]
5. Two CD Copies

GNK/KAM

HIGH COURT

DATED: 27/10/2026



ORDER

CRLP.No.17772 of 2026

DISPOSING OF THE CRLP

28/10/26