IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE SECOND DAY OF NOVEMBER TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 18097 OF 2026

Between:

1. Naareddy Jaipal Reddy, S/o. Bhadra Reddy Aged about 35 years, Occ. Pvt Employee, R/o. Kranthi Nagar, Karmanghat, Saroornagar Mandal, Ranga Reddy Dist. Telangana.
2. Naareddy Mahipal Reddy, S/o. Bhadra Reddy Aged about 38 years, Occ. Pvt Employee, R/o. Kranthi Nagar, Karmanghat, Saroornagar Mandal, Ranga Reddy Dist. Telangana.
3. Naareddy Raji Reddy, S/o. Late Lakshma Reddy Aged about 55 years, Occ. Pvt Employee, R/o. Manchal Village and Mandal, Ranga Reddy Dist. Telangana.
4. Naareddy Bhadra Reddy, S/o. Late Lakshma Reddy, Aged about 65 years, Occ. Retd., Govt., Employee, R/o. Kranthi Nagar, Karmanghat Saroornagar Mandal, Ranga Reddy Dist. Telangana.

...Petitioner/Accused No.1 to 4

AND

1. The State of Telangana, Through The Station House Officer, PS. Manchal, Ranga Reddy District, Rep. by The Public Prosecutor, High Court for the State of Telangana.
2. Jambula Kasi Reddy, S/o. Krishna Reddy, Aged about 70 years, Occ. Retd., Govt., Employee, R/o. Hayathnagar Village and Mandal, Rangareddy Dist.

...Respondents/Defacto Complainant

Petition under Section 482 of Cr.P.C r/w 528 of 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 No. 225 of 2026 on the file of XVI Metropolitan Magistrate, Future City, at Ibrahimpatnam, Ranga Reddy District.

I.A. No: 2 of 2026

Petition under Section 482 of Cr.P.C r/w 528 of BNSS 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 including arrest of the petitioner in Crime No. 225 of 2026 on the file of XVI Metropolitan Magistrate, Future City, at Ibrahimpatnam, Ranga Reddy District.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri B Shiva Kumar, 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.18097 of 2026

CNR.No.HBHC010748512026

Date : 02.11.2026

Between:

Naareddy Jaipal Reddy and three others

...Petitioners/accused Nos.1 to 4

AND

The State of Telangana and another

...Respondents

ORDER

This Criminal Petition has been filed seeking to quash the proceedings in Crime No.225 of 2026 of Manchal Police Station, Future City District, wherein the petitioners were arrayed as accused Nos.1 to 4, registered for the offences punishable under Sections 329(3) and 324(5) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. Heard Mr. B. Shiva Kumar, learned counsel for the petitioners and Mr. Jithender Rao Veeramalla, 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 petitioners submitted that the petitioners have not committed the alleged offences and have been falsely implicated in the present crime. The allegations levelled in the complaint are purely civil in nature, in respect of immovable property. The petitioners are the owners and possessors of the subject property and the question of trespassing into their own property does not arise. The sister-in-law of respondent No.2 by name Jambula Ammayamma filed a suit *vide* O.S.No.186 of 2023 before the Principal Junior Civil Judge, Ranga Reddy District, at Ibrahimpatnam, seeking declaration of ownership and correction of revenue records and perpetual injunction. In the said suit, petitioner Nos.1 and 2 were made as party-defendant Nos.4 and 5. When the said comprehensive civil suit is pending before the competent civil Court, respondent No.2 filed the present complaint by giving it a criminal colour only to settle the civil disputes pending between the parties. Hence, continuation of the proceedings against the petitioners is a clear abuse of the process of law. He further submitted that the offences alleged 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 '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 in the complaint that the petitioners have trespassed into the subject property and removed the fencing boundary stones and caused financial loss to respondent No.2. Whether the allegations made against the petitioners are true or not, the same has to be revealed during the course of investigation, especially the investigation is under progress. Since the offences levelled against the petitioners 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 petitioners are evading the receipt of notice and not cooperating with the investigation from the date of registration of crime i.e.,06.09.2026.

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

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[1](2014) 8 SCC 273

6. Having considered the rival submissions made by the respective parties and upon perusal of the material available on record, it reveals that the sister-in-law of respondent No.2 by name Jambula Ammayamma filed a suit *vide* O.S.No.186 of 2023 before the Principal Junior Civil Judge, Ranga Reddy District, at Ibrahimpatnam, seeking declaration of ownership and correction of revenue records and perpetual injunction, wherein, petitioner Nos.1 and 2 were made as party-defendant Nos.4 and 5. According to the learned counsel for the petitioner the said suit is still pending. 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 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 petitioners are directed to appear before the Investigating Officer on or before 13.11.2026 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 petitioners shall cooperate with the investigation. It is needless to mention that the petitioners are entitled

to submit reply to the notice under Section 35(3) of the BNSS 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 custody, to the Investigating Officer.

8. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications, pending if any, shall stand closed.

SD/- MOHD. ISMAIL
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XVI Metropolitan Magistrate, Future City, at Ibrahimpatnam, Ranga Reddy District.
2. The Station House Officer, Manchal Police Station, Future City
3. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
4. One CC to Sri B Shiva Kumar, Advocate [OPUC]
5. Two CD Copies

ABK/GNK

HIGH COURT

DATED: 02/11/2026



ORDER

CRLP.No.18097 of 2026

DISPOSING OF THE CRIMINAL PETITION

8
06/11/26
K.K