IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE THIRD DAY OF NOVEMBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 18196 OF 2026

Between:

1. Smt. Taneeru Laxmi, W/o Taneeru Raju, Aged about 44 years, Occ: House wife, R/o. 1-1-21/49/2, Hyder Nagar, Ram Naresh Nagar, Balanagar, Hyderabad, Telangana - 500085
2. Sri. Taneeru Naveen, S/o Taneeru Raju, Aged about 24 years, Occ: Business, R/o. 1-1-21/49/2, Hyder Nagar, Ram Naresh Nagar, Balanagar, Hyderabad, Telangana - 500085
3. Smt. Bayara Priya Singh, W/o Taneeru Naveen, Name mentioned in FIR as Navi wife Aged about 26 years, Occ: House wife, R/o. 1-1-21/49/2, Hyder Nagar, Ram Naresh Nagar, Balanagar, Hyderabad, Telangana - 500085

...PETITIONERS/ACCUSED No'S. 2 to 4

AND

1. The State of Telangana, Represented by Public Prosecutor Through SHO PS. KPHB, Cyberabad.

RESPONDENT

2. Smt. Sheshamma, D/o Late. Venkateshwarlu, Aged 52 years, Occ: Labourer, R/o H.No. 1-1-21/48, Hyder Nagar, Ram Naresh Nagar, Balanagar, Hyderabad, Telangana - 500085

DEFACTO COMPLAINANT

Petition under Section 528 of BNSS formerly 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 Quash all further proceedings in Crime No. 1084/2026 dated 25/08/2026 registered before PS. KPHB, Cyberabad District for the

offences 126(2),329(4) and 351(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita, against the petitioners/accused herein and to pass

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 STAY of all further proceedings in Crime No. 1084/2026 dated 25/08/2026 registered before PS. KPHB, Cyberabad District for the offences 126(2), 329(4) and 351(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023,against the petitioners/accused including investigation and filing of Charge Sheet against the petitioners -I accused and to pass

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Raghu Gurram, Advocate for the Petitioner and the Additional Public Prosecutor for the State of Telangana on behalf of the Respondent No.1 and None appeared for 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.18196 of 2026

CNR No.HBHC010749532026

Date: 03.11.2026

Between:

Smt. Taneeru Laxmi and 2 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 4 seeking to quash the proceedings in Crime No.1084 of 2026 of KPHB Police Station, Cyberabad District, registered for the offences punishable under Sections 126 (2), 329 (4) and 351 (2) r/w. 3 (5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'the BNS').

2. Heard Ms.N.Deeksha, learned counsel representing Mr.Raghu Gurram, learned counsel for the petitioners and Mr.Jithender Rao

Veeramalla, 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. She further submits that there are civil disputes pending between accused No.1 and respondent No.2. She further submits that respondent No.2 ought to have approached the competent civil Court; however, instead, he filed the present complaint by giving a criminal colour Hence, continuation of the proceedings against the petitioners is a clear abuse of the process of law. She 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*, learned Additional Public Prosecutor submits that there are specific allegations levelled in the complaint that the petitioners, along with accused No.1, quarrelled with the *de facto* complainant and her family members, damaged the water supply line, blocked the bathroom drainage and threatened them. The said allegations attract the ingredients of the said offences. The Investigating Officer, after conducting the investigation, filed the final report before the XV Additional Judicial Magistrate of First Class, Kukatpally, against accused No.1. When the Investigating Officer tried to serve the notice under Section 35(3) of the BNSS, the petitioners avoided receiving the notice and were not cooperating with the investigation. Hence, the petitioners are not entitled to seek any relief, much less the relief sought in the criminal petition.

6. By way of reply, learned counsel for the petitioners submits that the petitioners will cooperate with the Investigating Officer.

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[1] (2014) 8 SCC 273

7. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that respondent No.2 is none other than the sister of accused No. 1 and that there are disputes between them. However, 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 had already filed the final report against accused No.1 before the XV Additional Judicial Magistrate of First Class, Kukatpally, on 26.10.2026, and the C.C. number is awaited. 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).

8. Taking into consideration the peculiar facts and circumstances of the case and also the submissions made by the learned Additional Public Prosecutor, the petitioners/accused Nos.2 to 4 are directed to appear before the Investigating Officer on or before 16.11.2026, and on such appearance, the Investigating Officer is directed to issue notice under Section 35(3) of BNSS and follow the guidelines issued by the Apex Court in ***Arnesh Kumar*** (supra). It is needless to mention that the petitioners/accused Nos.2 to 4 are entitled to put forth

their grievance upon receipt of the notice under Section 35(3) of the BNSS and is also entitled to submit the documents, if any, which are in their possession.

9. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications, pending if any, shall stand closed.

SD/- C. DEEPIKA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The IV Additional Junior Civil Judge cum XV Additional Judicial Magistrate of First Class at Kukatpally, Medchal-Malkajgiri District.
2. The Station House Officer, KPHB Police Station, Cyberabad.
3. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri. Raghu Gurram, Advocate [OPUC]
5. Two CD Copies

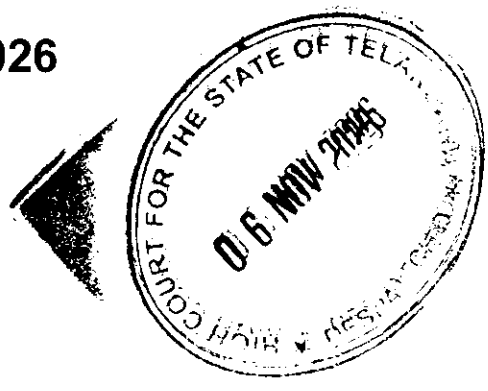
Pr/GNK

HIGH COURT

DATED: 03/11/2026

ORDER

CRLP.No.18196 of 2026



DISPOSING OF THE

CRIMINAL PETITION

(8)
ORR
06-11-26.