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: 17983 OF 2026

Between:

Satti Vamshi krishna Reddy, S/o Satti Abbai Reddy, Aged: 36 years, Occ: Private Employee, R/o. 53-20-33/6, Chaitanya Nagar, near Anganvadi school, Maddipalem, Vishakapatnam, A.P. (A3)

...PETITIONER/ACCUSED No.3

AND

1. The State of Telangana, Through Public Prosecutor at High Court, for PS Khanapur Haveli, Khammam District.

RESPONDENT

2. D. Sravan Kumar, S/o Not Known, Aged. Not Known, Occ: Police Officer, R/o. Khanapur haveli, Khammam District

...RESPONDENT/DEFACTO COMPLAINANT

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 quash the FIR No. 344 of 2026 on the file of PS Khanapur Haveli, Khammam District, as against this petitioner in the interest of justice.

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 stay all further proceedings in regard to FIR No. 344 of 2026 on the file of PS Khanapur Haveli, Khammam District, as against this petitioner in the interest of justice

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri P Rama Sharana Sharma, Advocate for the Petitioner and of Sri. Jithender Rao Veeramalla, the Additional Public Prosecutor for the State of Telangana on behalf of the Respondents.

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.17983 of 2026

CNR No. HBHC010749782026

Date: 02.11.2026

Between:
Satti Vamshi Krishna Reddy

...Petitioner

AND

The State of Telangana and another.

...Respondents

ORDER

This Criminal Petition has been filed by the petitioner/accused No.3 seeking to quash the proceedings in Crime No.344 of 2026 of Khanapur Haveli Police Station, Khammam District, registered for the offences punishable under Section 318(4) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS') and Sections 5(a) and 5(b) read with Section 10 of the Telangana Money Lenders Act (for short, 'TSTAMLA').

2. Heard Mr.B.Yabbez, learned for the petitioner and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondents.

3. Learned counsel for the petitioner submits that the petitioner has not committed the alleged offences and has been falsely implicated in the present case. Even according to the allegations levelled in the complaint, the ingredients of the offences punishable under Section 318(4) of the BNS and Sections 5(a) and 5(b) of the TSTAMLA are not attracted against the petitioner. He further submits that there was no dishonest intention on the part of the petitioner. Respondent No.2, who is a police officer, lodged the present complaint against the petitioner by making omnibus allegations. He further submits that the offences levelled against the petitioner 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*, learned Additional Public Prosecutor submits that there are specific allegations levelled against the petitioner in

[1](2014) 8 SCC 273

the complaint. The petitioner, along with the other accused, conspired to lend money at a high rate of interest without having a valid licence. He further submits that the ingredients of the offences punishable under Section 318(4) of the BNS and Sections 5(a) and 5(b) of the TSTAMLA are attracted against the petitioner and the petitioner is 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 petitioner are punishable with imprisonment less than years. The Investigating Officer has already served notice under Section 35(3) of the BNSS on accused No.1 on 18.06.2026. The Investigating Officer intends to follow the same procedure in respect of the petitioner also. However, the petitioner is avoiding service of the said notice and is not cooperating with the investigation.

5. Learned counsel for the petitioner submits that the petitioner will cooperate with the investigation.

6. Having considered the rival submissions made by the learned counsel for the respect ve parties and upon perusal of the material available on record, it reveals that specific allegations have been levelled against the petitioner in the complaint, alleging that the petitioner, along with the other accused, has been carrying on a money-lending business and charging high rates of interest from poor people. Whether the allegations levelled against the petitioner are true or not will be revealed during the course of investigation. The record further discloses that the offences alleged against the petitioner are punishable with imprisonment of less than seven years. Even according to the learned Additional Public Prosecutor, the Investigating Officer has already served notice under Section 35(3) of the BNSS on accused No.1 and intends to follow the same procedure in respect of the petitioner also.

7. In view of the above, the petitioner is directed to appear before the Investigating Officer on or before 13.11.2026 and submit reply/explanation along with the documents, which are available with him, 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/- P.C.SULEKHA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Station House Officer, Khanapur Haveli Police Station, Khammam District.
2. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
3. One CC to Sri. P Rama Sharana Sharma, Advocate [OPUC]
4. Two CD Copies

Pr/GNK

HIGH COURT

DATED: 02/11/2026

ORDER

CRLP.No.17983 of 2026



DISPOSING OF THE CRIMINAL PETITION

7 copes
6/11/26
R.R