IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE FOURTH DAY OF NOVEMBER TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 18398 OF 2026

Between:

1. Manne Sri Ranga Rao, S/o. Yettaiah, Aged 45 years, Occ: Business, R/o. H.No.16-1-487/A/1, Dobhighat, Saidabad, Hyderabad.
2. Manne Sridhar Rao, S/o. Ettaiah, Aged 46 years, Occ: Business,

   Both are R/o. H.No.16-1-487/A/1, Dobhighat, Saidabad, Hyderabad.

...PETITIONERS/ACCUSED No.1 & 2

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court for the state of Telangana, Hyderabad.
2. Sri. P. Bhujanga Reddy, S/o. Ramchandra Reddy, Aged 44 years, Occ: Police Constable of P.S.Saidabad, Gen. No.9246, R/o. H.No.8-30/4, Sri Sai Nagar Colony, Balapur X Road, Hyderabad

...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 set aside the order of issuance of NBW by the Hon'ble VII Additional Chief Metropolitan Magistrate, Hyderabad in CC.No.11896/2021 on 23-10-2026 and direct the Hon'ble VII Addl. Chief Metropolitan Magistrate, Hyderabad to recall the NBW.

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 suspend the execution of NBW dated.23-10-2026 issued against the Petitioners in CC.No.11896/2021 on 23-10-2026 and direct the Hon'ble VII Additional Chief Metropolitan Magistrate, Hyderabad.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Mohd Muzaffer Ullah Khan, 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.18398 of 2026

CNR No. : HBHC010764052026

Date: 04.11.2026

Between:
Manne Sri Ranga Rao and another

...Petitioners

AND

The State of Telangana and another

...Respondents

Order

This Criminal Petition is filed aggrieved by the order dated 27.10.2026 passed by the learned VII Additional Chief Judicial Magistrate, at Hyderabad, in Crl.M.P.No.2443 of 2026 in C.C.No.11896/2021, wherein the petition filed by the petitioners seeking to recall the Non-Bailable Warrant (NBW) issued against them was dismissed.

2. Heard Mr.Mohd Muzaferullah Khan, learned counsel for the petitioners and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondents.

3. Learned counsel for the petitioners submits that the petitioners are accused Nos.1 and 2 in C.C.No.11896 of 2021 and

are facing prosecution for the offences punishable under Sections 353, 188 r/w 34 of the Indian Penal Code, 1860 (for short, "IPC") and Sections 70(B) and 21/76 of the City Police Act. He further submits that due to unavoidable circumstances, the petitioners could not appear before the learned trial Court. The petitioners have filed an application under Section 317 of Code of Criminal Procedure, 1973 (for short 'Cr.P.C.'), seeking dispense with their presence and requested the learned trial Court to grant time. The learned trial Court without considering the said fact, issued NBWs against the petitioners on 23.10.2026. Thereafter, the petitioners filed petition vide Crl.M.P.No.2443 of 2026 under Section 70(2) of the Cr.P.C., seeking recall of the NBWs issued against them. In the said petition, the petitioners have specifically stated that they will appear before the trial Court for examination. However, the learned trial Court, without properly considering the contentions raised by learned counsel for the petitioners, dismissed the said application on 27.10.2026 and the same is contrary to law. He further submits that the matter before the trial Court is posted to 13.11.2026 and on the said date, the petitioners will appear before

the learned trial Court for facing examination. Unless the NBWs are recalled, the petitioners will be put to great hardship.

4. *Per contra*, learned Additional Public Prosecutor submits that, due to the non-cooperation of the petitioners, the trial Court has not been proceeding with the matter since 2021 and has rightly dismissed the application filed by the petitioners.

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 petitioners are accused Nos.1 and 2 in C.C.No.11896 of 2021 and are facing prosecution for the offences punishable under Sections 353, 188 r/w 34 of the IPC and Sections 70(B) and 21/76 of the City Police Act. The matter before the trial Court is posted for examination of the accused. Even according to the learned trial Court, the presence of the accused is required for examination. The learned trial Court on 23.10.2026 issued NBWs against the petitioners. Thereafter, the petitioners filed petition vide Crl.M.P.No.2443 of 2026 seeking recall of the NBWs and the same was dismissed.

6. During the course of hearing, learned counsel for the petitioners submits that the matter before the trial Court is posted to 13.11.2026 and on the said date, the petitioners will appear before the trial Court.

7. Taking into consideration the peculiar facts and circumstances of the case, this Court is inclined to recall the NBWs issued against the petitioners on 23.10.2026. Hence, the order dated 27.10.2026 passed by the learned trial Court is liable to be set aside and is accordingly set aside.

8. In view of the above, the NBWs issued against the petitioners on 23.10.2026 are recalled, subject to the following conditions:

i) The petitioners shall execute a personal bond for Rs.10,000/- (Rupees ten Thousand only) each, with two sureties to the satisfaction of the learned trial Court.

ii) The petitioners shall file undertaking affidavit before the trial Court that they will appear before the trial Court whenever their presence is required, and also they shall represent the matter through their counsel each and every date of adjournment, in

default, the learned trial Court is entitled to proceed with the matter, in accordance with law.

9. Accordingly, the Criminal Petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

SD/- C. DEEPIKA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

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

Pr/GNK

HIGH COURT

DATED: 04/11/2026



ORDER

CRLP.No.18398 of 2026

DISPOSING OF THE

CRIMINAL PETITION

6/11/26