IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE TWENTIETH DAY OF NOVEMBER TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 19292 OF 2026

Between:

1. Suthrala Mahesh, S/o Rajamallu, Aged 46 yrs, Occ. Agriculture, R/o H.No.2-90/9, Sriram Nagar, Teegalpahad, Srirampur Colony, Mancherial District.
2. Suthrala Rohith, S/o Mahesh, Aged 22 yrs, Occ. Student, R/o H.No.2-90/9, Sriram Nagar, Teegalpahad, Srirampur Colony, Mancherial District.
3. Suthrala Aravind, S/o Mahesh, Aged 21 yrs, Occ. Student, R/o H.No.2-90/9, Sriram Nagar, Teegalpahad, Srirampur Colony, Mancherial District.
4. Suthrala Neeraja, W/o Mahesh, Aged 40 yrs, Occ. Housewife, R R/o H.No.2-90/9, Sriram Nagar, Teegalpahad, Srirampur Colony, Mancherial District.

...Petitioner/Accused Nos. 1 to 4

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court at Hyderabad Through. SHO, P.S. Jaipur, Ramagundam Police Commissionerate, Mancherial District.

...Respondent No.1

2. Patti Swathi Priya, D/o Rajalingu, Aged 24 yrs, Occ. Student, R/o Mudigunta Village, Jaipur Mandal, Mancherial District.

...Respondent No.2/Defacto Complainant

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 call for the records relating to FIR No.204 OF 2026 on the file of the PS Jaipur, Ramagundam Police Commissionerate, Mancherial District, against the Petitioners/Accused Nos.1 to 4 and quash the same.

I.A. NO: 2 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 grant stay of all further proceedings in FIR No.204 OF 2026 on the file of the PS Jaipur, Ramagundam Police Commissionerate, Mancherial District including arrest of the Petitioners/Accused Nos. 1 to 4 till the disposal of the Criminal Petition 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 Anuganti Praneeth, Advocate for the Petitioners and Sri Jithender Rao Veeramalla, learned 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.19292 of 2026

CNR No. HBHC010795102026

Date: 20.11.2026

Between:
Suthrala Mahesh and three others

...Petitioners

AND

The State of Telangana and another.

...Respondents

ORDER

This Criminal Petition has been filed by the petitioners/accused Nos.1 to 4 seeking to quash the proceedings in Crime No.204 of 2026 of Jaipur Police Station, Ramagundam, registered for the offences punishable under Sections 318(4), 351(2) r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS').

2. Heard Mr.Anuganti Praneeth, learned counsel for the petitioners and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1.

3. Learned counsel for the petitioners submits that the petitioners have not committed the alleged offences and have been

falsely implicated in the present case. The allegations levelled against the petitioners pertain purely to monetary transactions. The petitioners never demanded respondent No. 2 pay the alleged amount under the guise of performing pooja, nor threaten respondent No. 2. Hence, the ingredients for the offences under Sections 318(4), 351(2) r/w 3(5) of the BNS are not attracted against the petitioners. He further submitted that the offences levelled 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 '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*, the learned Additional Public Prosecutor submitted that specific allegations have been levelled in the complaint that the petitioners, by making a false promise that they would perform pooja and restore the victim's health, collected an amount of Rs.60,000/- on two occasions. When respondent No. 2

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[1](2014) 8 SCC 273

demanded a refund of the said amount, the petitioners threatened respondent No. 2 by using filthy language. The said allegations attracts the ingredients for the offences punishable under Sections 318(4), 351(2) r/w 3(5) of the BNS. Whether the petitioners have committed the offence or not have to be revealed during the course of investigation and the petitioners are 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 petitioners are punishable with imprisonment less than years**.** However, the petitioners are avoiding to receive notice under Section 35(3) BNSS and not cooperating with the Investigating Officer.

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

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that there are specific allegations in the complaint that the petitioners collected an amount of Rs.60,000/- from the

de facto complainant by falsely promising that they would perform pooja and restore her health. When respondent No. 2 demanded refund of the said amount, the petitioners threatened her. Whether the petitioners have committed the offence or not have to be revealed during the course of investigation and the petitioners are not entitled to seek quashing of the proceedings at this stage. The record further discloses that 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 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).

7. In view of the above, the petitioners are directed to appear before the Investigating Officer on or before 30.11.2026 and submit reply/explanation along with the documents, which are available with them, 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/- M. OSMAN ALI BAIG
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Station House Officer, Police Station, Jaipur, Ramagundam Police Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT] Commissionerate, Mancherial District
2. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
3. One CC to Sri Anuganti Praneeth, Advocate [OPUC]
4. Two CD Copies

GNK

HIGH COURT

DATED: 20/11/2026



ORDER

CRLP.No.19292 of 2026

DISPOSING OF THE CRIMINAL PETITION

23/11/26