IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE SIXTEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

WRIT PETITION NO: 35284 OF 2026

Between:

T. Suri, S/o Venkateshwarlu Aged about 33 years Occ Student R/o HNo 19-12-227 Bairagipatteda Tirupati Urban Tirupati Andhra Pradesh - 517 501

...PETITIONER

AND

1. The State of Telangana, Rep by its Principal Secretary Home Department Telangana Secretariat Hyderabad
2. The Superintendent of Police, Jagtial District Office at Dharoor Camp Jagtial 505327
3. The Station House Officer, Ibrahimpatnam Police Station Office at Korutla to Vemulawada Road Ibrahimpatnam Mandal Jagtial District 505450

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ Order or Direction more particularly one in the nature of a Writ of Mandamus declaring the action of the Respondents No 3 in threatening the Petitioner to appear before the 3rd Respondent Police Station through telephone calls from Telephone Nos and without issuing any notice in writing without disclosing the nature of the complaint or the crime if any and under threat of registration of a criminal case and arrest as illegal arbitrary contrary to Sections 35 and 179 of the Bharatiya Nagarik Suraksha Sanhita 2023 and violative of Articles 14 and 21 of the Constitution of India.

I.A. NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to DIRECT the Respondents No 3 not to require or compel the Petitioner to appear before the

3rd Respondent Police Station through telephone calls and not to take any coercive steps against the Petitioner except in accordance with procedure established under law as the case may be and in compliance with the directions of the Honble Supreme Court in Arnesh Kumar v State of Bihar 2014 8 SCC 273.

Counsel for the Petitioner: SRI B. AKASH KUMAR REPRESENTING FOR SRI D. ANIKETH REDDY

Counsel for the Respondents: SRI SRIDHAR BHUVANAGIRI, ASST. GP FOR HOME

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

WRIT PETITION No.35284 of 2026
(C.N.R.No.HBHC010727672026)

16 OCTOBER, 2026

Between:

T.Suri

... Petitioner

AND

The State of Telangana and 2 others

...Respondents

:ORDER:

This Writ Petition is filed seeking the following relief:

> *"...to issue a Writ, Order or Direction, more particularly one in the nature of a Writ of Mandamus, declaring the action of Respondent No.3 in threatening the Petitioner to appear before the 3rd Respondent Police Station through telephone calls from Telephone Nos. +91 8712656795 and + 91 8712524862, without issuing any notice in writing, without disclosing the nature of the complaint or the crime, if any, and under threat of registration of a criminal case and arrest, as illegal, arbitrary, contrary to Sections 35 and 179 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and violative of Articles 14 and 21 of the Constitution of India and pass..."*

2. Heard Mr. Baglekar Akash Kumar, learned counsel representing Mr. D.Aniketh Reddy, learned for the petitioner and Mr. Sridhar Bhuvanagiri, learned Assistant Government Pleader for Home appearing for the respondents. Perused the record.

3. With the consent of both the parties, this writ petition is disposed of at the stage of admission itself.

4. Case of the petitioner is that he married one T.Vahini and owing to personal and family disputes between them, they have been living separately since May, 2026. Accordingly, he filed a petition seeking dissolution of the marriage which is presently pending adjudication. While so, respondent No.3 is making frequent telephone calls to him, threatening to initiate a criminal case against him, if he fails to appear before the Police Station and warning that he would be arrested, in order to pressurise and compel him to act as per the terms dictated by his wife.

5. Learned counsel for the petitioner submits that the respondent-Police have no power or authority to summon the petitioner to the Police Station and compel him to enter into a settlement or compromise with his wife in connection with the matrimonial dispute and that such action amounts to violation of Articles 14 and 21 of the Constitution of India. He further submits that no copy of complaint or FIR has been furnished to the petitioner.

6. Learned Assistant Government Pleader for Home, on instructions, submits that the petitioner's wife lodged a complaint before respondent No.3 pursuant to which G.D. entries were made and counselling was conducted. Respondent No.3 called both

parties over phone to attend the counselling, but the petitioner failed to attend the same and instead filed the present writ petition with baseless allegations. It is further submitted that upon completion of the counselling, necessary action will be taken in accordance with law and respondent No.3 has neither harassed nor threatened the petitioner, interfered with his life, liberty or matrimonial dispute, nor taken any coercive action against him, except conducting counselling.

7. In view of the aforesaid submissions, this Court, deems it appropriate to dispose of the writ petition, directing the respondent-Police not to summon the petitioner to the Police Station, except by following due process of law. In the event of any crime being registered against the petitioner and his presence being required for the purpose of investigation and if the offences alleged are punishable with imprisonment up to seven years, the respondent-Police shall follow the procedure contemplated under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (previously Section 41-A of Cr.P.C.) and also the guidelines issued by the Hon'ble Apex Court in ***Arnesh Kumar v. State of Bihar***[1]. The petitioner shall co-operate with the investigation.

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[1](2014) 8 SCC 273

8. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

SD/-K.V.O.NARSI BABU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary Home Department The State of Telangana, Telangana Secretariat Hyderabad
2. The Superintendent of Police, Jagtial District Office at Dharoor Camp Jagtial 505327
3. The Station House Officer, Ibrahimpatnam Police Station Office at Korutla to Vemulawada Road Ibrahimpatnam Mandal Jagtial District 505450
4. One CC to SRI D. ANIKETH REDDY, Advocate [OPUC]
5. Two CCs to GP FOR HOME, High Court for the State of Telangana, at Hyderabad [OUT]
6. Two CD Copies

BN
PB

CC TODAY

HIGH COURT

DATED: 16/10/2026



ORDER

WP.No.35284 of 2026

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

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17/10/26