

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

TUESDAY, THE THIRD DAY OF FEBRUARY

TWO THOUSAND AND TWENTY SIX

**:PRESENT:
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

CRIMINAL PETITION NO: 1221 OF 2026

Between:

1. MALLREDDY SUDARSHAN REDDY, S/o. Narayan Reddy,
2. MALLREDDY DEENA DAYAL REDDY, S/o. Sudarshan Reddy
3. MALLREDDY RAHUL REDDY, S/o. Sudarshan Reddy

PETITIONERS/ACCUSED NOS.1,5 & 6

AND

1. THE STATE OF TELANGANA, Through Public Prosecutor, High Court for the State of Telangana at Hyderabad.
2. BOLLA ARUNAMMA,, W/o.Bolla Ramanarsi Reddy, Occ. Business, R/o. H.No.2-10, Munagala, Akupamula, Suryapet District.

RESPONDENTS

WHEREAS the Petitioners above named through their Advocate SRI K PRADEEP REDDY presented this Petition under Section 528 OF B.N.S.S., praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to QUASH the FIR No.508 of 2025 on the file of P.S. Shamshabad, Cyberabad District, for the offences under sections 316(2), 318(4) R/w 3(5) of BNS against the Petitioners herein.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of SRI K PRADEEP REDDY Advocate for the Petitioners, and Additional Public Prosecutor, for the Respondent No.1 directed issue of notice to the Respondent No.2 herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

Bolla Arunamma,, W/o.Bolla Ramanarsi Reddy, Occ. Business, R/o. H.No.2-10, Munagala, Akupamula, Suryapet District.

are directed to show cause on or before 25.02.2026 to which date the case stands posted as to why in the circumstances set out in the petition and the memorandum of grounds filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted.

IA NO: 1 OF 2026

Petition under Section 528 OF B.N.S.S., praying that in the circumstances stated in the grounds filed in support of the criminal petition, the High Court may be pleased to STAY all further proceedings pursuant to FIR No.508 of 2025 on the file of P.S. Shamshabad, Cyberabad, for the offences under sections 316(2), 318(4) R/w 3(5) of BNS including arrest of the Petitioners pending disposal of CRLP No. 1221 of 2026, on the file of the High Court.

The Court made the following:
ORDER:

Mr. K.Pradeep Reddy, learned counsel for the petitioners, submits that the petitioners have not committed the alleged offences and have been falsely implicated in the present case. He further submits that respondent No.2 purchased the agricultural land from accused Nos.2, 3 and 4 on 16.12.2019 through a registered sale deed, wherein, petitioner Nos.2 and 3/accused Nos.5 and 6 stood as witnesses. Petitioner No.1 is the father of petitioner Nos.2 and 3 and they have not executed the alleged sale deed in favour of accused No.2. He further submitted that respondent No.2, along with others, has approached this Court and filed W.P.No.15539 of 2021, questioning the action of the respondents therein and this Court, while ordering notice before admission, granted interim direction on 09.07.2025, directing the respondents not to interfere with the agricultural operations, if any, taken up by the petitioners therein and the petitioners are directed not to change the nature of the land and make any construction in the subject land, till next date of hearing. According to the learned counsel, the above writ petition and another connected writ petition *vide* W.P.No.14228 of 2021 are pending before this Court. He further submitted that the offences levelled against the petitioners are punishable with imprisonment below seven years. However, the Investigation Officer, without following the mandatory procedure as prescribed under Section 35(3) of the BNSS and the guidelines issued

by the Apex Court in Arnesh Kumar v. State of Bihar¹, is proceeding with the investigation. He further submitted that the offences under Sections 316(2), 318(4) r/w. 3(5) of BNS cannot go together in view of the law laid by the Hon'ble Apex Court in Delhi Race Club v. State of Uttar Pradesh². Hence, continuation of proceedings against the petitioners is clear abuse of process of law.

Taking into consideration the above said submissions, this Court is of the view that the grounds, which were raised by the learned counsel for the petitioners, require detailed examination.

Notice before admission.

Learned counsel for the petitioners is permitted to take out personal notice to respondent No.2 by way of speed post with acknowledgment due and file proof of service.

Learned Additional Public Prosecutor takes notice on behalf of respondent No.1 and seeks a week's time to obtain instructions.

Post on 25.02.2026.

Till then, there shall be an interim stay of all further proceedings against the petitioners/accused Nos.1, 5 and 6 in FIR No.508 of 2025 on the file of Shamshabad, Police Station, Cyberabad. In default of filing proof of service, the stay shall stand vacated.

//TRUE COPY//

SD/-S.MALLIKARJUNA RAO
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The XI Addl. Metropolitan Magistrate Cyberabad, at Rajendranagar.
2. The Station House Officer, Shamshabad PS, Cyberabad.

¹ 2014 8 SCC 273

² 2024 INSC 626

3. Bolla Arunamma,, W/o.Bolla Ramanarsi Reddy, Occ. Business, R/o. H.No.2-10, Munagala, Akupamula, Suryapet District.(by SPAD- along with a copy of petition and memorandum of grounds) ✓
4. One CC to SRI. K PRADEEP REDDY Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court at Hyderabad (OUT)
6. One spare copy

HIGH COURT

JSR,J

DATED:03/02/2026

POST ON 25.02.2026.

NOTICE BEFORE ADMISSION

CRLP.No.1221 of 2026

INTERIM STAY

