

(SHOW CAUSE NOTICE BEFORE ADMISSION)

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE NINTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 1545 OF 2026

Between:

1. G. Suresh Krishna,, S/o. Sri Gudipati Srinivas Rao
2. G. Bhanumathi W/o. Sri Gudipati Srinivas Rao
3. G. Chengal Rao S/o. Sri Gudipati Srinivas Rao

Petitioners/Accused

AND

1. The State of Telangana, Represented by its Public Prosecutor, through Station House Officer, PS Bachupally, High Court at Hyderabad
2. S. Sindhusa,, W/o G. Suresh Krisha, Occ.Software Engineer, R/o. Flat No.308, SR Towers, Reddys Avenues, Nizampet, Bachupally, Medchal Malkjgiri

Respondents

WHEREAS the Petitioners above named through their Advocate MS KRISHNAMONI SWATHI 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 and all proceedings in quash the proceedings in FIR No.1248/2025 registered at Bachupalli Police Station, Cyberabad District, dated 11.12.2025, under Section 85 of the BNS;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri A Adishiva, Advocate rep. for MS. KRISHNAMONI SWATHI Advocate for the Petitioners, Public Prosecutor for 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;

S. Sindhusa W/o G. Suresh Krisha, Occ. Software Engineer, R/o. Flat No.308, SR Towers, Reddys Avenues, Nizampet, Bachupally, Medchal Malkjgiri

are directed to show cause on or before 09.03.2026 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: 2 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 in FIR No.1248/2025 registered at Bachupalli Police Station, Cyberabad District, dated 11.12.2025, under Section 85 of the BNS, pending disposal of CRLP No. 1545 of 2026, on the file of the High Court.

The Court made the following:

ORDER

Notice before admission.

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

Mr. A. Adishiva, learned counsel representing Ms. Krishnamoni Swathi, learned counsel for the petitioners/accused Nos.1 to 3, submits that the petitioners have not committed any offence and they have been falsely implicated in the crime as accused. Even according to the allegations made in the complaint, there is no specific allegation against the petitioners that they have demanded additional dowry. Hence, the ingredients of the offence under Section 85 of the Bharatiya Nyaya Sanhitha, 2023 are not attracted against the petitioners. Learned counsel further submits that the offence levelled against the petitioners is punishable with imprisonment below seven years. However, the Investigation Officer, without following the mandatory procedure as

prescribed under Section 35 (3) of the Bhartiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') and the guidelines issued by the Apex Court in *Arnesh Kumar v. State of Bihar*¹, is proceeding with the investigation. Hence, the continuation of the proceedings against the petitioners is a clear abuse of process of law.

Taking into consideration the above submissions, this Court is of the *prima facie* view that there is force in the submissions made by the learned counsel for the petitioners and accordingly, this Court would not be justified in granting a stay of further investigation pending the proceedings under Section 482 of the Cr.P.C.

Hence, the Investigating Officer is directed to follow the procedure as contemplated under Section 35(3) of the BNSS, insofar as petitioners/accused Nos.1 to 3 are concerned.

Post on 09.03.2026.

SD/-K.BHAVANI SWAMY
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The PJCI cum XI Addl. Metropolitan Magistrate, Kukatpally, Cyberabad
2. The Station House Officer, Police Station Bachupally, High Court at Hyderabad (by RPAD)
3. S. Sindhusa W/o G. Suresh Krisha, Occ. Software Engineer, R/o. Flat No.308, SR Towers, Reddys Avenues, Nizampet, Bachupally, Medchal Malkjigiri (by RPAD- along with a copy of petition and memorandum of grounds)
4. Two CCs to Public Prosecutor, High Court for the State of Telangana, Hyderabad (OUT)
5. One CC to MS. KRISHNAMONI SWATHI Advocate [OPUC]
6. One spare copy

¹ 2014 8 SCC 273

HIGH COURT

JSR,J

DATED:09/02/2026

Post on 09.03.2026

NOTICE BEFORE ADMISSION

CRLP.No.1545 of 2026

STAY

