

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

WEDNESDAY, THE TWENTY FIFTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY SIX

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

CRIMINAL PETITION NO: 2655 OF 2026

Between:

1. Peyyala. Anand Babu, S/o.P. Ramarao,
2. Veeraboina. Narendra, S/o V.Lakshmaiah,

Petitioners/Accused Nos.1 and 2

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court for the State of Telangana.
2. Devi.Venkanna, S/o. Late.Chandraiah, Occ.Farmer, R/o.H.No.6-10, Gouraram Village, Bayyaram Mandal, Mahabubabad District, 507211.

Respondents/Defacto-Complainant

WHEREAS the Petitioners above named through their Advocate SRI GUNDARAM MANOJ GOUD 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 Crime registered vide Impugned FIR.No.166 of 2025 On the file of P.S.Garla Bayyaram, Mahabubabad.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of SRI GUNDARAM MANOJ GOUD 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:

Devi.Venkanna, S/o. Late.Chandraiah, Occ.Farmer, R/o.H.No.6-10, Gouraram Village, Bayyaram Mandal, Mahabubabad District, 507211.

are directed to show cause on or before 20.04.2026 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 of all further proceedings against the petitioners/Accused Nos.1 and 2 in Crime registered vide Impugned FIR.No.166 of 2025 On the file of P.S.Garla Bayyaram, Mahabubabad including the presence of the Petitioners/Accused Nos. 1 and 2.

**The Court made the following:
ORDER:**

Notice before admission.

Learned Additional Public Prosecutor takes notice on behalf of respondent No.1.

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.

Sri Gundaram Manoj Goud, learned counsel for the petitioners, submits that the petitioners have not committed the offence and have been falsely implicated in the present crime. The entire allegations made in the complaint are purely civil in nature and pertain to a monetary transaction. Even according to the averments in the complaint, the ingredients of Sections 417 and 420 read with 34 of the Indian Penal Code,1860 are not attracted against the petitioners. He further submitted that the offences leveled against the petitioners are punishable with imprisonment of less than seven years. He further submitted that 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.

¹(2014) 8 SCC 273

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 petitioner. However, this Court would not be justified in granting a stay of further investigation pending the proceedings under Section 528 of the BNSS.

Hence, the Investigating Officer is directed to follow the procedure as contemplated under the provisions of the BNSS, insofar as petitioner/accused Nos.1 and 2 is concerned.

Post on 20.04.2026.

**SD/-T.SRINIVAS REDDY
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal and Judicial First-Class Magistrate at Mahabubabad.
2. The Station House Officer, Garla Bayyaram Police Station, Mahabubabad.
3. Devi.Venkanna, S/o. Late.Chandraiah, Occ.Farmer, R/o.H.No.6-10, Gouraram Village, Bayyaram Mandal, Mahabubabad District, 507211. (by SPAD- along with a copy of petition and memorandum of grounds)
4. One CC to SRI. GUNDARAM MANOJ GOUD Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court at Hyderabad (OUT)
6. One spare copy

HIGH COURT

JSR,J

DATED:25/02/2026

POST ON 20.04.2026

NOTICE BEFORE ADMISSION

CRLP.No.2655 of 2026

DIRECTION

