

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

TUESDAY, THE THIRD DAY OF MARCH

TWO THOUSAND AND TWENTY SIX

:PRESENT:
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 2705 OF 2026

Between:

1. Revelli Nagaraju, S/o. Revelli Pedda Lachulu
2. Bollam Kisham, S/o. Rajanna
3. Lethakari Srihari, S/o. Lethakari Mallesh,
4. Pasunuti Venkatesh, S/o. Pasunuti Srinivas,
5. Peddi Raju, S/o. Saraiah
6. Bellamkonda Ravi, S/o. Pochaiah

Petitioners/Accused No.1 to 5 and A-7

AND

1. The State of Telangana, Rep by Public Prosecutor High Court of Telangana at Hyderabad.
2. Mothe Rajesh, S/o. Banaiah, R/o. Mandal Kotapalle, District Mancherial, Telangana, Occ. Agriculture R/o. 19-314/6-2, Ramnagar - 2, Near Pochamma Temple, Mancherial - 504208

Respondents/Complainant

WHEREAS the Petitioners above named through their Advocate SRI RAVI CHANDRA BEJJARAM 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 proceedings in F.I.R.No.17/2026, dated 15-02-2026 on the file of Kaleswaram Police Station, Jayashankar-Bhupalpally District against the Petitioners/Accused No. 1 to 5 and A.7.

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

You viz:

Mothe Rajesh, S/o. Banaiah, R/o. Mandal Kotapalle, District Mancherial, Telangana, Occ. Agriculture R/o. 19-314/6-2, Ramnagar - 2, Near Pochamma Temple, Mancherial – 504208.

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 memorandum of grounds filed in support of the criminal petition, the High Court may be pleased to grant stay of all further proceedings in F.I.R.No.17/2026, dated 15-02-2026 on the file of Kaleswaram Police Station, Jayashankar Bhupapally District against the Petitioner/Accused No. 1 to 5 and A.7 till the disposal of the main Quash Petition in the interest of the justice.

**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 Ravi Chandra Bejjaram, 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 submitted that Kaleswaram Gram Panchayat issued tenders and awarded the contract for collection of parking fees through Proceedings No. GPK/Auctions/09/2025 dated 09.04.2025. Pursuant to the said proceedings, the petitioners are collecting the parking fee. When the said contract is still in existence, respondent No.2 lodged the present complaint against the petitioners by making false allegations. The allegations made in the complaint do not attract the ingredients of the offences punishable under Sections 126(2) and 308(2) read with Section 190 of the Bharatiya Nyaya Sanhita,

2023 and the same 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.

The learned Additional Public Prosecutor submitted that, due to non-compliance with the conditions mentioned in the work order, the competent authority cancelled the tender awarded in favour of the petitioners, and therefore the petitioners are not entitled to collect any parking fee. He did not dispute the fact that the offences alleged against the petitioners are punishable with imprisonment less than seven years.

The said submissions made by the learned Additional Public Prosecutor are opposed by the learned counsel for the petitioners on the ground that petitioner No.1 has not received any notice or order from the Gram Panchayat or any other authority regarding cancellation of the tender.

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 due procedure as contemplated under the provisions of the BNSS, insofar as petitioners/accused Nos.1 to 5 and 7 is concerned.

Post on 20.04.2026.

Sd/- MOHD.ISMAIL
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

¹(2014) 8 SCC 273

To,

1. The Station House Officer, Kaleshwaram Police Station, Jayashankar Bhupalpally District.
2. Mothe Rajesh, S/o. Banaiah, R/o. Mandal Kotapalle, District Mancherla, Telangana, Occ. Agriculture R/o. 19-314/6-2, Ramnagar - 2, Near Pochamma Temple, Mancherla - 504208 (by SPAD- along with a copy of petition and memorandum of grounds)
3. One CC to SRI. RAVI CHANDRA BEJJARAM Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court at Hyderabad.
5. One spare copy

HIGH COURT

JSR,J

DATED:03/03/2026

POST ON 20.04.2026



NOTICE BEFORE ADMISSION

CRLP.No.2705 of 2026

DIRECTION