

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

MONDAY, THE NINTH DAY OF MARCH ✓
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO ✓
CRIMINAL PETITION NO: 3027 OF 2026 ✓

Between:

Galipally Santhosh Kumar, S/o. Galipalli Laxman ✓

Petitioner/Accused No.11

AND

1. The State of Telanana, Through SHO, Kothapally Police Station, Karimnagar District Rep. by Public Prosecutor High Court at Hyderabad for the State of Telangana
2. Athuluri Govardhan, S/ o. Ramakotaiah, Occ. income tax practitioner, R/o. H.No.10-3-239, Mamillagudem village, Khammam urban Khammam District.

Respondent/Complainant

WHEREAS the Petitioner above named through his Advocate Sri P.V.KRISHNAMACHARY presented this Petition under Section 528 of BNSS, 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 Crime No.34 of 2026 on the file of SHO, Kothapally Police Station, Karimnagar District against the petitioner/ accused no.11;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri P.V. KRISHNAMACHARY, Advocate for the Petitioner, Addl. 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:

Athuluri Govardhan, S/ o. Ramakotaiah, Occ. income tax practitioner, R/o. H.No.10-3-239, Mamillagudem village, Khammam urban Khammam District.

are directed to show cause on or before **21.04.2026** 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 BNSS, praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to STAY all further proceedings in Crime No.34 of 2026 on the file of SHO, Kothapally

Police Station, Karimnagar District including the arrest of the petitioner/ accused no. 11, pending disposal of CRLP No.3027 of 2026, on the file of the High Court.

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 petitioner is permitted to take out personal notice to respondent No.2 by way of Speed Post with Acknowledgment Due and file proof of service.

Mr. P.V.Krishnamachary, learned counsel for the petitioner submits that the petitioner has not committed the alleged offences and has been falsely implicated in the present case on the ground that he had issued cheque for Rs.50,00,000/- towards security to accused Nos.1 and 4, who availed the bank loan from ICICI Bank, for an amount of Rs.1,12,00,000/-. Hence, the ingredients of the offence under Section 338 of BNS are not attracted against the petitioner and the imprisonment for the other offences is below seven years. However, the Investigating Officer, without following mandatory procedure prescribed under Section 35(3) of BNSS and *Arnesh Kumar Vs. State of Bihar*¹, is proceeding with the investigation and the same is contrary to law.

Taking into consideration the above said submissions and upon perusal of the complaint, this Court is of a *prima facie* view that the offence under Section 338 of the BNS is not attracted against the petitioner and the other offences levelled against the petitioner are punishable with imprisonment of less than seven years.

Learned Additional Public Prosecutor submits that the Investigating Officer will issue notice under Section 35(3) of the BNSS and the petitioner may be directed to appear before the Investigating Officer.

Learned Counsel for the petitioner submits that the petitioner will appear before the Investigating Officer.

¹ (2014) 8 SCC 273

In view of the same, the petitioner is directed to appear before the Investigating Officer on or before 17.03.2026. On such appearance, the Investigating Officer is directed to follow the due procedure as contemplated under the provisions of the BNSS and the petitioner shall cooperate with the investigation.

Post on 21.04.2026.

**Sd/- K.BHAVANI SWAMY
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The I Addl. Judicial First Class Magistrate at Karimnagar.
2. The Station House Officer, Police Station Kothapally, Karimnagar District.
3. Athuluri Govardhan, S/ o. Ramakotaiah, Occ. income tax practitioner, R/o. H.No.10-3-239, Mamillagudem village, Khammam urban Khammam District. (by SPAD- along with a copy of petition and memorandum of grounds)
4. One CC to SRI P.V.KRISHNAMACHARY, Advocate [OPUC] ✓
5. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad [OUT]
6. One spare copy

HIGH COURT

JSRJ

DATED:09.03.2026

POST ON 21.04.2026

NOTICE BEFORE ADMISSION

CRLP.No.3027 of 2026

DIRECTION

