

(SHOW CAUSE NOTICE BEFORE ADMISSION)

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

MONDAY, THE TWENTY THIRD DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

WRIT PETITION NO: 8319 OF 2026

Between:

Telpitiya Arjun Singh @ Jogender Singh @ Jogi, S/o T. Ajith Singh, Aged about 30 years, Occupation. Fabrication Work, R/o H.No. 6-1-91 /1, Sikku Basthi, Raju Colony, - Balanagar, Medchal District.

Petitioner

AND

1. The State of Telangana,, Rep. by its Principal Secretary Home Department Secretariat Buildings Hyderabad
2. The Special Executive Magistrate-cum-Deputy Commissioner of Police,, Balanagar Zone, Cyberabad.
3. The Inspector of Police,, Balanagar Police Station, Cyberabad Commissionerate, Hyderabad

Respondents

WHEREAS the Petitioner above named through his Advocate SRI K. S. SUNDER SINGH presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned order in MC No. 42 of 2025 dated 07/07/2025 by the Special Executive magistrate Cum Deputy Commissioner of Police Balanagar Zone Cyberabad null and void set aside the same and direct the jail authorities release the petitioner immediately and as well as the violation of the fundamental rights guaranteed under the Constitution of India and consequently direct the respondents to release the petitioner immediately.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of SRI K. S. SUNDER SINGH Advocate for the Petitioner and SRI MAHESH RAJE, GP FOR HOME for the Respondents directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary Home Department Secretariat Buildings State of Telangana, Hyderabad ✓
2. The Special Executive Magistrate-cum-Deputy Commissioner of Police, Balanagar Zone, Cyberabad. ✓
3. The Inspector of Police, Balanagar Police Station, Cyberabad Commissionerate, Hyderabad. ✓

are directed to show cause on or before 06.04.2026 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents to suspend the order passed in MC No. 42 of 2025 dated 07.07.2025 by the Special Executive Magistrate Cum Deputy Commissioner of Police Balanagar Zone Cyberabad, pending disposal of WP No. 8319 of 2026, on the file of the High Court.

The Court made the following

ORDER:

Notice Before Admission.

Sri Mahesh Raje, learned Government Pleader for Home, takes notice on behalf of the respondents and seeks time to obtain instructions and, if necessary, to file a counter affidavit. He further submits that time is required to address the validity of G.O.Ms.No.19, dated 10.03.2025, which confers powers upon respondent No.2 under Sections 126, 127, 128, 129, and 163 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act No. 46 of 2023), with effect from 01.07.2024. ✓

Upon perusal of the writ petition, it is evident that the proceedings issued by respondent No.2 in M.C.No.42 of 2025, dated 24.12.2025, are under challenge. By virtue of the said proceedings, the petitioner was held guilty of breach of bond and consequently convicted and ordered to be detained in prison from 24.12.2025 until the completion of the bond period, i.e., 06.07.2026. The Superintendent of Central Prison, Sangareddy, was accordingly directed to receive the petitioner and detain him in custody for the said period, subject to due process of law.

However, a perusal of the impugned proceedings dated 24.12.2025 indicates that no opportunity was afforded to the petitioner prior to passing the said order, which constitutes a clear violation of principles of natural justice and a *prima facie* legal infirmity. It further appears that the petitioner was not properly apprised of or heard in

respect of the said order and has been languishing in jail pursuant thereto. In view of the above, this Court deems it appropriate to suspend the operation of the impugned order dated 24.12.2025 in M.C. No.42 of 2025 and directs respondent No.2 to take immediate steps to release the petitioner from custody forthwith, in accordance with law.

List on 06.04.2026.

Sd/- AHMAD ABDULLA KHAN
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary Home Department Secretariat Buildings State of Telangana, Hyderabad —
2. The Special Executive Magistrate-cum-Deputy Commissioner of Police, Balanagar Zone, Cyberabad. —
3. The Inspector of Police, Balanagar Police Station, Cyberabad Commissionerate, Hyderabad. —
(Addressees 1 to 3 BY SPAD along with a copy of petition and affidavit)
4. One CC to SRI K. S. SUNDER SINGH Advocate [OPUC] —
5. Two CCs to GP FOR HOME, High Court at Hyderabad. [OUT] —
6. One spare copy —

HIGH COURT

EVV, J

DATED :23/03/2026



LIST ON 06.04.2026.

NOTICE BEFORE ADMISSION

WP.No.8319 of 2026

DIRECTION