

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

MONDAY ,THE SIXTEENTH DAY OF MARCH

TWO THOUSAND AND TWENTY SIX

:PRESENT:
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 3860 OF 2026

Between:

1. Bharathi Madishetti, W/o Ramarao, Aged about 63 years, Occ:Housewife, R/o. 9-71, Pullaiah Banjar, Kalluru, Khammam District.

(A-2)

2. Rama Rao Madishetti, S/o Madishetti Venkateswararao, Aged about 67 years, Occ:Business, R/o. 9-71, Pullaiah Banjar, Kalluru, Khammam District.

(A-3)

Petitioners/Accused

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court for the State of Telangana at Hyderabad.
2. Sarika Madishetti, W/o Kalyan Chakravarthy, Aged about 37 years, Occ:Housewife, R/o. Kalluru village, Kalluru Mandal, Khammam District.

Respondent/Defacto Complainant

WHEREAS the Petitioners above named through their Advocate SRI C SHARAN REDDY 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.362/2025 of W.P.S. Khammam, Khammam District, against the petitioners,

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri C SHARAN REDDY Advocate for the Petitioners, 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:

Sarika Madishetti, W/o Kalyan Chakravarthy, Aged about 37 years, Occ:Housewife, R/o. Kalluru village, Kalluru Mandal, Khammam District.

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 BNSS 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 investigation including arrest of the Petitioners in Crime No.362/2025 of W.P.S. Khammam, Khammam District, pending disposal of CRLP No. 3860 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 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.

Mr. C. Sharan Reddy, learned counsel for the petitioners, submits that the petitioners have not committed the alleged offences and have been falsely implicated in the present crime only on the ground that they are the parents of accused No.1. Even according to the allegations made in the complaint, the ingredients for the offences under sections 85, 351(2) read with 3(5) of the Bharatiya Nyaya Sanhitha, 2023 and Sections 3 and 4 of the Dowry Prohibition Act, 1961 are not attracted against the petitioners and the imprisonment for the said offences is below 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.

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. 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.2 and 3 are concerned.

Post on 20.04.2026.

Sd/- L.VIJAYA LAKSHMI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Judicial Magistrate of First Class, Special Mobile Court at Khammam.
2. The Station House Officer, W.P.S. Khammam, Khammam District.
3. Sarika Madishetti, W/o Kalyan Chakravarthy, Aged about 37 years, Occ:Housewife, R/o. Kalluru village, Kalluru Mandal, Khammam District. (by SPAD- along with a copy of petition and memorandum of grounds)
4. One CC to SRI. C SHARAN REDDY Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court at Hyderabad. [OUT]
6. One spare copy

¹(2014) 8 SCC 273

HIGH COURT

JSRJ

DATED:16/03/2026

Post on 20.04.2026

NOTICE BEFORE ADMISSION

CRLP.No.3860 of 2026



STAY