

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

THURSDAY, THE THIRTIETH DAY OF APRIL

TWO THOUSAND AND TWENTY SIX

:PRESENT:**THE HONOURABLE SRI JUSTICE J SREENIVAS RAO****CRLP NO: 6739 OF 2026****Between**

1. Ravireddy Shivareddy Danareddy, S/o. Shivareddy Danareddy

.....PETITIONER/Accused**AND**

1. The State of Telangana, Represented by the Public Prosecutor, High Court Building, Telangana Hyderabad
2. Sri N S Srinivas, S/o N J N Sarna R/o S L.n terminus Sy No 13, Near Botanical gardens Ranga Reddy Telangana

Respondents

WHEREAS the Petitioner above named through his Advocate Dr. A M KALYAN RAM presented this Petition under Section 528 of B.N.S.S. praying that in the circumstances stated in the affidavit/grounds filed in support of the CRIMINAL PETITION, the High Court may be pleased to quash the proceedings in Crime No. 2312 of 2025 P.S. Gachibowli on the file of Ld. X Addl. Metropolitan Magistrate Kukatpally Cyberabad for inapplicability of the crimes/offence under Section U/s. 318(4), 335, 336(3) BNS, 43, 66 ITA Act-2008

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of DR. A M KALYAN RAM Advocate for the Petitioner, 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:

1. Sri N S Srinivas, S/o N J N Sarna R/o S L N Terminus Sy No 13, Near Botanical gardens Ranga Reddy Telangana

are directed to show cause on or before 13.07.2026 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.

I.A. NO: 3 OF 2026

Petition under Section 528 of B.N.S.S. praying that in the circumstances stated in the affidavit/grounds filed in support of the CRIMINAL PETITION, the High Court may be pleased to stay all further proceedings against the Petitioner/Accused in crime No. 2312 of 2025, P.S. Gachibowli on the file of Ld. X Addl. Metropolitan Magistrate Kukatpally, Cyberabad for inapplicability of the crimes/offence under Section U/s. 318(4),335,336(3) BNS,43,66 ITA Act-2008 pending disposal of CRLP No.6739 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.

Dr. A. Moksha Kalyanram, learned counsel for the petitioner, submits that the petitioner has not committed the alleged offences and has been falsely implicated in the present crime. He further submits that the petitioner has not forged and fabricated the documents as alleged in the complaint. He further submits that the nature of allegations is purely civil in nature. Even according to the allegations made in the complaint, the ingredients of Sections 318(4) of the Bharatiya Nyaya Sanhitha, 2023 are not attracted against the petitioner and it is 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.

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 and also the guidelines formulated by the Hon'ble Supreme Court in *Arnesh Kumar* supra, insofar as petitioner/accused is concerned.

Post on 13.07.2026.

Sd/- N.SRIHARI
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The X Addl. Metropolitan Magistrate Kukatpally, Cyberabad
2. The Station House Officer, Police Station, Gachibowli, Hyderabad (by SPAD)
3. Sri N S Srinivas, S/o N J N Sarna R/o S L.N Terminus Sy no 13, Near Botanical gardens Ranga Reddy Telangana [by SPAD-along with a copy of petition and affidavit/memorandum of grounds] ✓
4. One CC to SRI A M KALYAN RAM Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR High Court for the State of Telangana, at Hyderabad [OUT] ✓
6. One spare copy ✓

¹(2014) 8 SCC 273

HIGH COURT

JSR, J

DATED: 30-04-2026

Post on 13.07.2026

NOTICE BEFORE ADMISSION

CRLP.No.6739 of 2026

DIRECTION

